



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

April 6, 2018

Temblor Petroleum
5201 California Avenue #340
Bakersfield CA 93309

Dear Applicant:

Subject: Resolution No. 12701 - Initial Study Application No. 7319 and Unclassified
Conditional Use Permit Application No. 3581

On March 15, 2018, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at jshaw@co.fresno.ca.us or 559-600-4207.

Sincerely

Jeremy Shaw, Planner
Development Services and Capital Projects Division

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Enclosure



Inter Office Memo

DATE: March 15, 2018
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12701 - INITIAL STUDY APPLICATION NO. 7319 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3581

APPLICANT/
OWNER: Temblor Petroleum

REQUEST: Allow a petroleum oil/gas production facility comprised of a three-phase project consisting of the drilling of up to ten exploratory petroleum oil/gas wells, two wastewater injection (disposal) wells, one additional production facility and expansion of the existing 2.1-acre well pad to 7.2 acres to accommodate the proposed facilities on a 315.15-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the north side of Mount Whitney Avenue, between the Butte Avenue alignment and the Lake Avenue alignment, approximately two miles west of the unincorporated community of Five Points (SUP. DIST. 1) (APN 050-080-11S).

PLANNING COMMISSION ACTION:

At its hearing of March 15, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).


A motion was made by Commissioner Woolf and seconded by Commissioner Eubanks to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact in the Staff Report, and approve Unclassified Conditional Use Permit Application No. 3581, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12701

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Woolf, Eubanks, Abrahamian, Burgess, Delahay, Ede, and Vallis
	No:	None
	Absent:	Commissioners Chatha and Lawson
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
 Department of Public Works and Planning
 Secretary-Fresno County Planning Commission

By: 

 William M. Kettler, Manager
 Development Services and Capital Projects Division

WMK:knn
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NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7319
Unclassified Conditional Use Permit Application No. 3581

- Staff: The Fresno County Planning Commission considered the Staff Report dated March 15, 2018, and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. She described the project and offered the following information to clarify the intended use:
- The Applicant does not intend to drill all ten proposed wells immediately; they do intend to drill one well this year and one or more in each successive year.
- Others: One other individual spoke in support.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

JS:
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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7319/Unclassified Conditional Use Permit Application No. 3581
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Public Works and Planning (PW&P)	Ongoing
*2.	Agricultural and Forestry Resources	When drilling operations are complete, the Applicant shall return the project site (as much as practical) to its original condition and all drilling equipment shall be removed within 90 days of termination of the drilling operations.	Applicant	Applicant/PW&P	Within 90 days of the termination of drilling operations
*3.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archaeologist shall be called to evaluate the finding and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During all ground-disturbing activities
*4.	Transportation/Traffic	Prior to commencing production operations, a grizzly and/or gravel pad shall be installed on the Lake Avenue alignment where the Lake Avenue alignment intersects Mount Whitney Avenue to minimize sediment transport from vehicles and equipment onto Mount Whitney Avenue.	Applicant	Applicant/PW&P	As noted
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.					
Conditions of Approval					
1.	The subject production oil well operation shall be conducted in accordance with the Site Plans and Operational Statement approved by the Planning Commission for Unclassified CUP No. 3581.				
2.	The Applicant shall obtain the necessary oil and gas well permits for all proposed Class II Water Injection Wells and Exploratory Oil and Gas Wells from the California Department of Conservation, Division of Oil, Gas and Geothermal Resources for the drilling, operation and maintenance of all production and disposal wells for the project, in accordance with the Division's Underground				

	Injection Control (UIC) program for Class II Injection wells. Additionally, prior to commencement of any injection into any wells authorized with this project, the Applicant shall submit a complete project application to the Division of Oil Gas, and Geothermal Resources, including data listed in the California Code of Regulations (CCR) section 1724.7.
3.	All Mitigation Measures, Conditions of Approval and mandatory Project Notes for any previous applications approved for this site, including CUP No. 3208, CUP No. 3420, CUP No. 3533, CUP No. 3542 and CUP No. 3542 shall be implemented, if not already in place.
4.	If, during drilling/development activities, any wells are encountered that are not previously known or part of this review, the property owner/Applicant shall immediately notify the California Department of Conservation, Division of Oil, Gas and Geothermal Resources construction site well review engineer in the Bakersfield district office at (661)-334-3662.

Conditions of Approval reference required Conditions for the project.

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	Prior to initiating construction, the Applicant shall contact Underground Service Alert to allow Westlands Water District staff [(559) 241-6220] to locate and mark their facilities.
2.	Plans, permits, and inspections are required. Please contact the Zoning and Permitting section at (559) 600-4540 for information regarding permits for siting, construction and electrical work.
3.	If not already present, a ten-foot by ten-foot corner cut-off should be improved for sight distance purposes at any proposed driveway accessing Lake Avenue.
4.	According to FEMA, FIRM Panel 2825H, portions of the parcel are located in Flood Zone A, which is subject to the 100-year storm. Any work performed within the flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.
5.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. A grading permit or voucher may be required for this project.
6.	An encroachment permit is required from the Fresno County Department of Public Works and Planning, Road Maintenance and Operations Division prior to any work being performed in the County right-of-way.
7.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
8.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR),

Notes

Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.

9. In an effort to protect groundwater, all abandoned agricultural and domestic water wells (not intended for use or future use) within the 1.6-acre project area shall be properly destroyed by an appropriately-licensed contractor (permits required). Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Contact the Water Surveillance Program at (559) 600-3357 for more information.

10. The project/development shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project/development will also be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

APPROVED

MAR 15 2018

SITE PLAN

TEMBLOR PETROLEUM CO Sec 20, T17S, R17E, MDB&M APN 050-080-115

DEVELOPMENT SERVICES

Existing drill pad footprint is drawn in white/black line and is 2 acres. Shaded in yellow is the drill pad extension (5.2 acres) for 12 new wells (10 oil wells, 2 water disposal wells). Total project when completed is 7.20 acres. Grid is in 25' sections.

