



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 March 16, 2017

SUBJECT: Unclassified Conditional Use Permit No. 3542

Amend Unclassified Conditional Use Permit No. 3420 in order to allow an additional exploratory petroleum oil and natural gas well on a new drilling pad on a 1.6-acre portion of a 315.15-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located at 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).

OWNER: David and Marilyn Britz Trustees
APPLICANT: Temblor Petroleum Company LLC

REPRESENTATIVE: Mary Halpin

STAFF CONTACT: Jeremy Shaw, Planner
(559) 600-4207

Chris Motta, Principal Planner
(559) 600-4569

RECOMMENDATION:

- Accept, per Section 15162 of the California Environmental Quality Act, the Mitigated Negative Declaration approved by the Planning Commission on May 22, 2014 for Initial Study No. 6742; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3542 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Detail Drawings
6. Elevations
7. Resolution, Mitigation Measures, Conditions of Approval and Project Notes for Unclassified CUP No. 3420
8. Applicants Operational Statement
9. Approved Site Plans for Unclassified CUP No. 3420
10. Summary of Preliminary Initial Study No. 6742

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District	No change
Parcel Size	315.15 acres	No change
Project Site	Field crops; exploratory petroleum oil and gas well on a 1.6-acre drill pad area, as authorized by CUP No. 3420	Additional exploratory petroleum oil and natural gas well on a new drill pad requiring expansion of the existing drill pad authorized by CUP No. 3420 on a 1.6-acre portion of a 315.15-acre parcel
Structural Improvements	Existing Harnish-McCormick No. 2 well, authorized by CUP No.3420	<ul style="list-style-type: none"> • 152-foot-tall drilling rig • 3,125 square-foot mud sump • Two (2) 280 square-foot pipe bins • 480 square-foot walkway • 64 square-foot 6-foot-deep well cellar containing wellhead • Two (2) mud pumps • Diesel-powered generator

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> • 350 square-foot employee trailer
Nearest Residence	Approximately 1,520 feet southeast of the proposed exploratory oil and gas well	No change
Surrounding Development	Unincorporated community of Five Points and intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) located approximately two miles east of the subject parcel. An agricultural fertilizer manufacturing operation is located approximately one mile southeast, and the San Luis Drain is located approximately two and a half miles northeast.	No change
Operational Features	N/A	<p>Drilling of the exploratory well will be conducted 24 hours per day for 25 days. All drilled cuttings (solid and liquid) will be transported off site to an approved solid waste disposal facility.</p> <p>If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations.</p> <p>If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of a subsequent Unclassified Conditional Use Permit will be required for the production facility.</p>
Employees	N/A	Drilling crews comprised of four employees supervised by a foreman and an Applicant representative will operate the drilling rig during three 8-hour shifts

Criteria	Existing	Proposed
		per day for a period of 25 days.
Customers	N/A	There will be no customers on site.
Traffic Trips	N/A	Up to 70 total one-way truck trips (35 round trips) per day during assembly of the drilling rig which will take approximately two days to complete Up to 36 one-way employee trips per day (18 round trips) during exploratory drilling operations which will take approximately 25 days to complete Up to four one-way truck trips (5 round trips per day) during the project for the delivery of various pieces of equipment and supplies to exploratory well site
Lighting	N/A	Lighting of the 1.6-acre drill pad area during exploratory well drilling and testing operations
Hours of Operation	N/A	24 hours per day for the life of the project

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

Initial Study No. 6742 was prepared for Unclassified Conditional Use Permit No. 3420 by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff determined that a Mitigated Negative Declaration was appropriate. The Mitigated Negative Declaration was adopted by the Fresno County Planning Commission with the approval of Unclassified Conditional Use Permit No. 3420 on May 22, 2014.

As this application is an amendment to the previous Unclassified Conditional Use Permit, Section 15162 of the California Environmental Quality Act states that when an Environmental Impact Report (EIR) has been certified or a Mitigated Negative Declaration (MND) adopted, no subsequent EIR or MND shall be prepared unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial Changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous MND;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous MND;
 - c. Mitigation Measures or alternatives that are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the Mitigation Measures or alternative.

The current proposal, Unclassified CUP Application No. 3542, was routed to those agencies that previously commented on the initial study prepared for Unclassified CUP No. 3420. No specific concerns were noted. The area and project are substantially the same and there have not been any changes in circumstances or new information provided by the appropriate agencies contacted. Therefore, it has been determined that no subsequent Mitigated Negative Declaration shall be undertaken for this project per Section 15162 of the California Environmental Quality Act. A summary of Initial Study No. 6742 is included as Exhibit 10.

PUBLIC NOTICE:

Notices were sent to two property owners within 1,320 feet of the subject parcel, meeting the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

On May 22, 2014, CUP No. 3420 was approved for the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre portion of the subject 315.15-acre parcel. After conducting exploratory drilling, the Applicant discovered petroleum resources at the project site. Subsequently, the Applicant filed CUP No. 3533 to amend CUP No.3420 in order to allow the drilling of a second exploratory well on the same 1.6-acre drill pad authorized by Unclassified CUP No. 3420. The Planning Commission approved CUP No. 3533 on October 6, 2016.

Current CUP No. 3542 proposes to further amend CUP No. 3420 to allow the drilling of a third exploratory well on the same 1.6-acre drill pad authorized by CUP No.3420. This proposal entails the drilling of an exploratory petroleum oil and gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. The drill site is located on a portion of an existing drill pad, which was authorized by CUP No. 3420. According to the Operational Statement, a new 200-foot by 350-foot drill pad will be constructed lying east to west across the previously-approved drill site. The new configuration will involve enlarging the 1.6-acre drill pad by an additional 0.67 acre. The current proposal is intended to amend previously-approved CUP No. 3420 in order to allow an additional exploratory well. The proposed well will be drilled approximately 50 feet west of the previously-approved well (Harnish-McCormick No. 2). If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of a subsequent Unclassified Conditional Use Permit will be required for said production facility.

Improvements to be utilized for the proposed exploratory oil and natural gas well include: 152-foot-tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-foot walkway; 64 square-foot, six-foot-deep well cellar containing the wellhead; two mud pumps; diesel-powered generator; and 350 square-foot employee trailer.

Finding 1: That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Street side: 35 feet Rear: 20 feet	Front (southern property line): 1,800 feet Street side (eastern property line): 400 feet Street side (western property line): 5,200 feet Rear (northern property line): 400 feet	Yes
Parking	No requirement	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Space Between Buildings	Six feet minimum	N/A	N/A
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	N/A	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: The existing 1.6-acre drill pad area and the exploratory well authorized by CUP No. 3420 satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

Staff review of the Site Plans demonstrates that the proposed 1.6-acre drill pad is adequate in size and shape to accommodate the proposed use and satisfies the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

Recommended Conditions of Approval:

None

Conclusion:

Finding 1 can be made.

Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

		Existing Conditions	Proposed Operation
Private Road	Yes	Butte Avenue alignment Lake Avenue alignment	No change
Direct Access to Public Road	No	Mount Whitney Avenue	Access to the exploratory well location will be from Mount Whitney Avenue via the Lake Avenue alignment, and a proposed 400-foot-long by 20-foot-wide access road will connect the exploratory well location to the Lake Avenue alignment.
Road ADT		Mount Whitney Avenue: 1,600 Butte Avenue alignment: unknown (private road) Lake Avenue alignment:	Less than significant traffic increase during the life of the project

	Existing Conditions	Proposed Operation
	unknown (private road)	
Road Classification	<p>Mount Whitney Avenue: Expressway</p> <p>Butte Avenue alignment: N/A (private road)</p> <p>Lake Avenue alignment: N/A (private road)</p>	No change
Road Width	<p>Mount Whitney Avenue: 80 feet</p> <p>Butte Avenue alignment: unknown (private road)</p> <p>Lake Avenue alignment: unknown (private road)</p>	No change
Road Surface	<p>Mount Whitney Avenue: Paved (paved width: 24.1 feet)</p> <p>Butte Avenue alignment: unimproved dirt</p> <p>Lake Avenue alignment: unimproved dirt</p>	No change
Traffic Trips	N/A	<p>Up to 70 one-way truck trips per day (35 round trips per day) during assembly of the drilling rig which will take approximately two days to complete</p> <p>Up to 36 one-way employee trips per day (18 round trips per day) during exploratory drilling which will take approximately 25 days to complete</p> <p>Up to ten one-way truck trips per day (5 round trips per day) during the project for the delivery of various equipment and</p>

		Existing Conditions	Proposed Operation
			supplies to the exploratory well site
Traffic Impact Study (TIS) Prepared	No	N/A	None required, as traffic generated by the proposed use is limited in scope to the drilling and testing of an exploratory petroleum oil and natural gas well which is temporary in nature
Road Improvements Required		N/A	None required

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Design Division of the Fresno County Department of Public Works and Planning: No concerns with this proposal.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: The Roads Maintenance and Operations Division has indicated that comments issued for CUP No. 3420 would still apply to the current application and are as follows: An encroachment permit shall be required from the Road Maintenance and Operations Division for any work done within the County right-of-way. This requirement has been included as a project note. A grizzly and/or gravel pad shall be installed on the Lake Avenue alignment where said road alignment intersects Mount Whitney Avenue to minimize sediment transport from vehicles and equipment onto the County roadway (Mount Whitney Avenue). This requirement was included as a mitigation measure with previously-approved Initial Study No. 6742 and Unclassified Conditional Use Permit No. 3420.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

Access to the drill site will be from Mount Whitney Avenue via the Lake Avenue alignment, and a proposed 20-foot-wide on-site access road will connect the exploratory well location to the Lake Avenue alignment. Mount Whitney Avenue, classified as an Expressway, has a total existing right-of-way of 80 feet at the subject parcel, 40 feet north and south of the section line. The minimum total right-of-way for an Expressway is 126 feet, requiring Mount Whitney Avenue to have 63 feet of right-of-way north of the section line along the parcel frontage. However, considering that the proposed use is limited in scope to the drilling of an exploratory petroleum oil and natural gas well, no additional right-of-way dedication is required for this proposal.

Based on the above information, and with adherence to the Mitigation Measures and project notes, staff believes that the surrounding streets and highways serving the subject parcel will be adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	160 acres	Field Crops	AE-20	None
	160 acres	Field Crops	AE-20	
South	158.79 acres	Field Crops	AE-20	None
	466.34 acres	Field Crops	AE-20	None
East	150.12 acres	Field Crops	AE-20	None
	26.86	Single-Family Residences/ Field Crops	AE-20	1,520 feet southeast of the exploratory well location
West	317.58 acres	Field Crops	AE-20	None

Reviewing Agency/Department Comments:

Policy Planning Section of the Department of Public Works and Planning: The Applicant's submitted operational statement indicates that the proposed exploratory well will be on a portion of the drill pad authorized by CUP No. 3420 and that the Applicant also proposed to construct a new drill pad which overlaps the existing drill pad, lying in a perpendicular orientation to it. The proposed drill pad will have the same dimensions as the existing drill pad which are 200 feet by 350 feet and oriented east to west.

Department of Conservation, Division of Oil, Gas and Geothermal Resources: The Applicant shall file a detailed drilling proposal in order to obtain specific requirements for the proposed drilling operation. This requirement was included as project note for Unclassified CUP No. 3420.

Building and Safety Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Fresno County Department of Public Health, Environmental Health Division: The proposed project, CUP No. 3542, is within the scope of the previous IS No. 6742, and will have no additional significant environmental effects and no new mitigation measures or alternatives are required. The following is a summary of Environmental Health Division comments for CUP No.

3420: Section 8.40.060 of the Fresno County Noise Ordinance specifically exempts noise sources from activities associated with the drilling of petroleum, oil, gas, or water wells; however, the Applicant should ensure that any noise-generating construction/drilling equipment be equipped with mufflers, per the manufacturer's specifications to minimize potential noise impacts.

Prior to commencing operations, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division. An exemption to the Hazardous Materials Business Plan requirement applies when the business stores hazardous materials for less than 30 consecutive days while under active shipping papers. Contact the Certified Unified Program Agency (CUPA) at (559) 600-3271 for more information on the above requirements. All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.5., which discusses proper labeling, storage and handling of hazardous wastes.

A Spill Prevention Control and Countermeasure Plan (SPCC) is required for aboveground petroleum storage tanks with storage capacity greater than or equal to 1,320 gallons. Note: Storage capacity includes the aggregate capacity of all aboveground tanks and containers at a tank facility. The above comments were included as project notes for CUP No. 3420 and are applicable to the subject proposal.

The Applicant should contact the local Fire Authority concerning construction and installation requirements for aboveground storage tanks.

Fresno County Fire Protection District: No concerns with the proposal.

Fresno County Sheriff's Department: No concerns with the proposal.

San Joaquin Valley Unified Air Pollution Control District (Air District): No concerns with the proposal.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

This proposal entails amending Unclassified CUP No. 3420 in order to allow the drilling of an additional exploratory petroleum oil and natural gas well on a new 1.6-acre drill pad area, which will overlap a portion of the 1.6-acre drill pad authorized by Unclassified CUP No. 3420. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations.

Improvements to be utilized for the proposed exploratory oil and natural gas well include: 152-foot-tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-foot walkway; 64 square-foot, six-foot-deep well cellar containing the wellhead; mud pump; diesel-powered generator; and 350 square-foot employee trailer.

The subject parcel is located in an agricultural area marked by relatively large parcel sizes and few residential land uses. The unincorporated community of Five Points and the intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) are located approximately two miles east of the subject parcel. Additionally, an agricultural fertilizer

manufacturing operation is located approximately one mile southeast of the subject parcel, and the San Luis Drain is located approximately two and a half miles to the northeast. The subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval and mandatory Project Notes identified in Initial Study (IS) No. 6742 prepared for Unclassified CUP No. 3420, staff finds that the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: That the proposed development is consistent with the General Plan.

Relevant Policies:	Consistency/Considerations:
General Plan Policy OS-C.13: County shall require a special permit for exploratory drilling due to the potential for adverse effects on surrounding land uses.	The current proposal, CUP Application No. 3542, suffices as a special permit under County Ordinance. Impacts of the proposal on surrounding land uses have been discussed and analyzed in Finding 3.
General Plan Policy OS-C.17: County shall require the timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the land to its primary land use as designated by the General Plan.	<p>The approval of CUP No. 3420 included a Mitigation Measure requiring the Applicant to return the project site (as much as practical) to its original condition within 90 days of terminating drilling operations. In this case, all drilling and testing equipment associated with CUP No. 3420 has been removed from the project site; however, the associated exploratory well remains due to exploratory operations having discovered petroleum resources at the project site. Additionally, the Applicant filed Unclassified CUP Application No. 3544 and associated Initial Study Application No. 7190 proposing to allow development of a petroleum oil and natural gas production facility on the subject 315.15-acre parcel. The Planning Commission approved Unclassified CUP No.3544 and Initial Study Application No.7190 on February 16, 2017.</p> <p>Further, the Mitigation Measures identified in adopted Initial Study No. 6742 will be applied to CUP Application No. 3542. As such, the Applicant shall be required to restore the site (as much as practical) to its original condition within 90 days of terminating drilling operations and remove all drilling equipment.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated Agriculture in the General Plan. The Agriculture and Land Use Element of the General Plan lists mineral extraction and oil and gas development as non-agricultural uses permitted in areas designated Agriculture, subject to Policies listed in Section OS-C of the General Plan. Policy LU-A.4 requires that the recovery of mineral resources and the exploration and extraction of oil and natural gas in areas designated agriculture comply with the Mineral Resources Section of the Open Space and Conservation Element. Policy OS-C.13 requires a special permit for exploratory oil and gas drilling due to the potential for adverse effects on surrounding land uses. Policy OS-C.17 requires timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the project site to its primary land use as designated by the General Plan. Policy OS-C.20 requires that no human occupancy to be located near any active petroleum or natural gas well unless suitable safety and fire protection measures and setbacks are approved by the local Fire District.

The subject parcel is currently enrolled under Williamson Act Contract No. 1512; however, exploratory oil and gas wells are a compatible use with the Williamson Act Contract. Further, due to the relatively small footprint of the proposal, staff has determined that no significant portion of Contract land or Farmland of Statewide importance will be converted to non-agricultural uses in this case, therefore the impact to said farmland is less than significant with mitigation measures incorporated.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

As discussed above, this proposal is consistent with the General Plan Policies applicable to the project. The Applicant has requested approval of the proposed use through the subject discretionary land use application. A Mitigation Measure applied to CUP No.3420 and also applicable for the subject application has been included requiring the Applicant to remove all drilling equipment and return the project site to its original condition within 90 days of terminating drilling operations. The nearest dwelling unit is located approximately 1,520 feet southeast of the proposed exploratory well location, the Fresno County Fire Protection District reviewed this proposal and expressed no concerns with the project, and the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning expressed no concerns with the project.

Based on these factors, the proposed project is consistent with the General Plan.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the subject Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3542, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to accept the Mitigated Negative Declaration previously adopted by the Planning Commission for Initial Study (IS) No. 6742; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3542, subject to the Conditions of Approval attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3542; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

JS:ksn
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**Unclassified Conditional Use Permit Application No. 3542
Conditions of Approval and Project Notes**

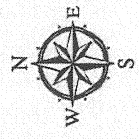
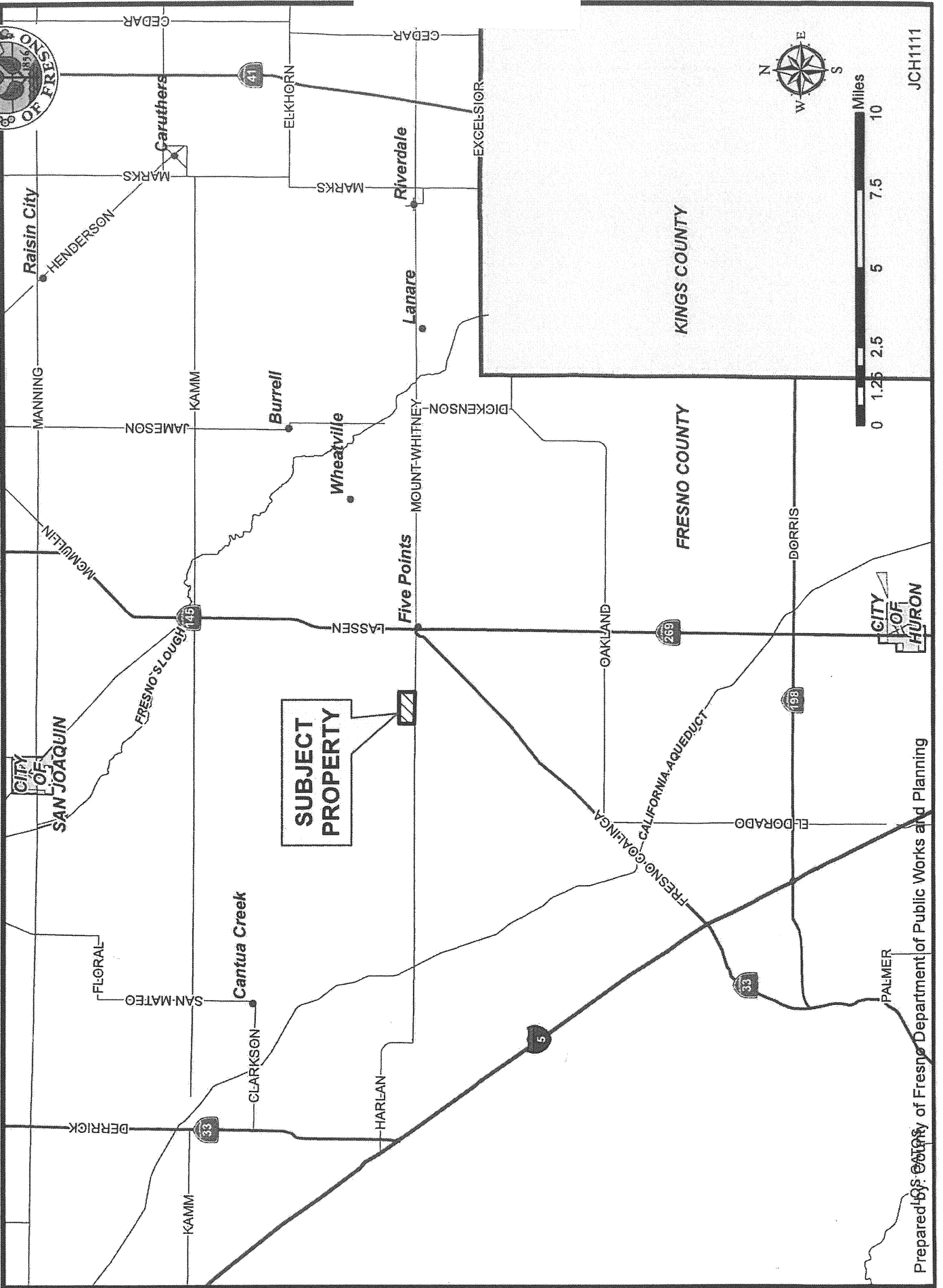
Conditions of Approval	
1.	All Mitigation Measures and Conditions of Approval for Unclassified Conditional Use Permit No. 3420 shall remain in full force and effect, except as modified with the approval of Unclassified Conditional Use Permit No. 3542.

Conditions of Approval reference recommended Conditions for the project.

Project Notes	
1.	All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.5., which discusses proper labeling, storage and handling of hazardous wastes.
2.	Prior to commencing operations, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division.
3.	A Spill Prevention Control and Countermeasure Plan (SPCC) is required for aboveground petroleum storage tanks with storage capacity greater than or equal to 1,320 gallons. Note: Storage capacity includes the aggregate capacity of all aboveground tanks and containers at a tank facility.

EXHIBIT 2

LOCATION MAP



JCH1111

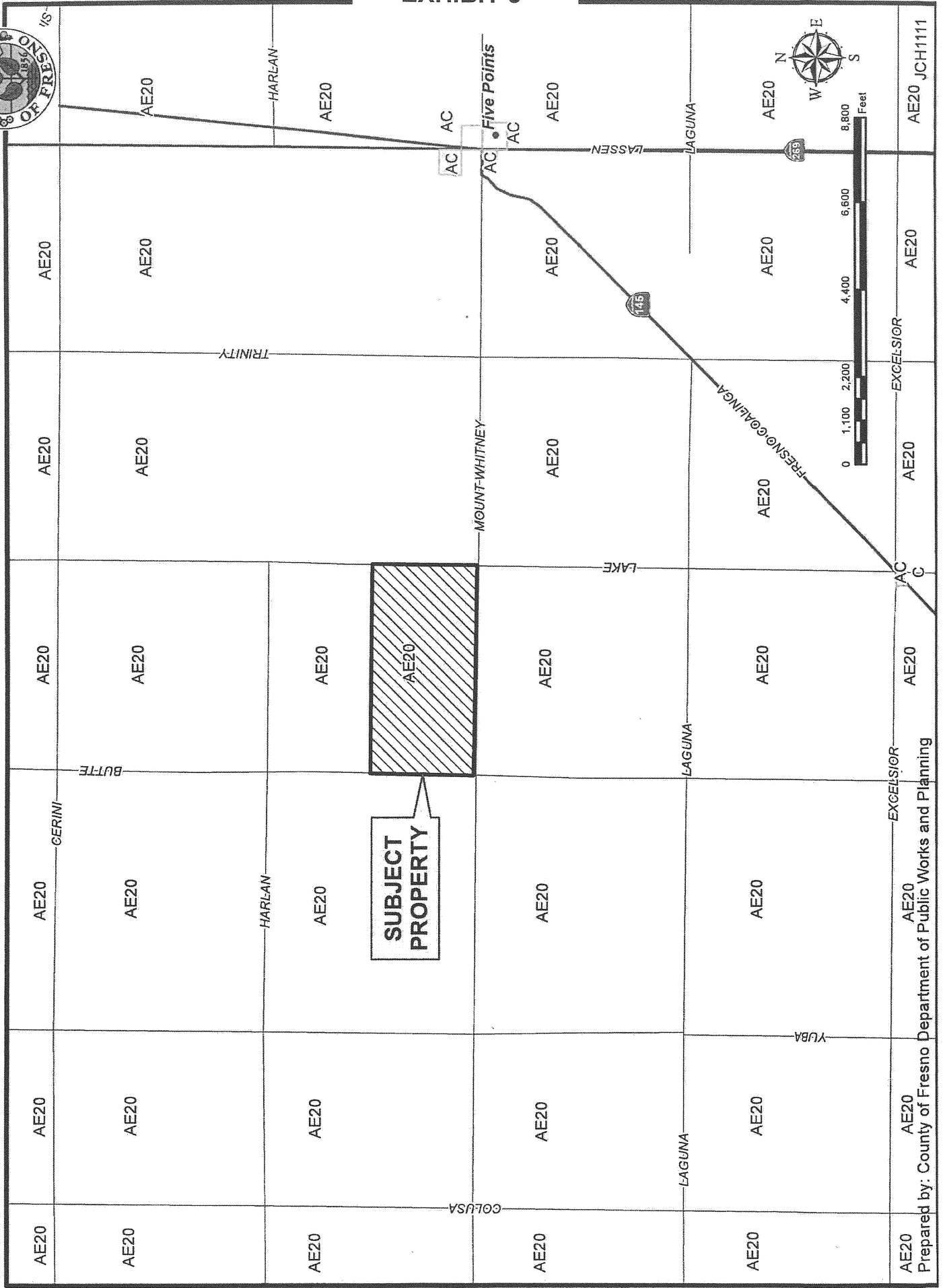
Prepared by City of Fresno Department of Public Works and Planning



EXHIBIT 3

EXISTING ZONING MAP

STR 20 - 17/17



EXISTING LAND USE MAP



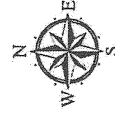
EXHIBIT 4

LEGEND

- FC - FIELD CROP
- I - INDUSTRIAL
- SF# - SINGLE FAMILY RESIDENCE
- V - VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



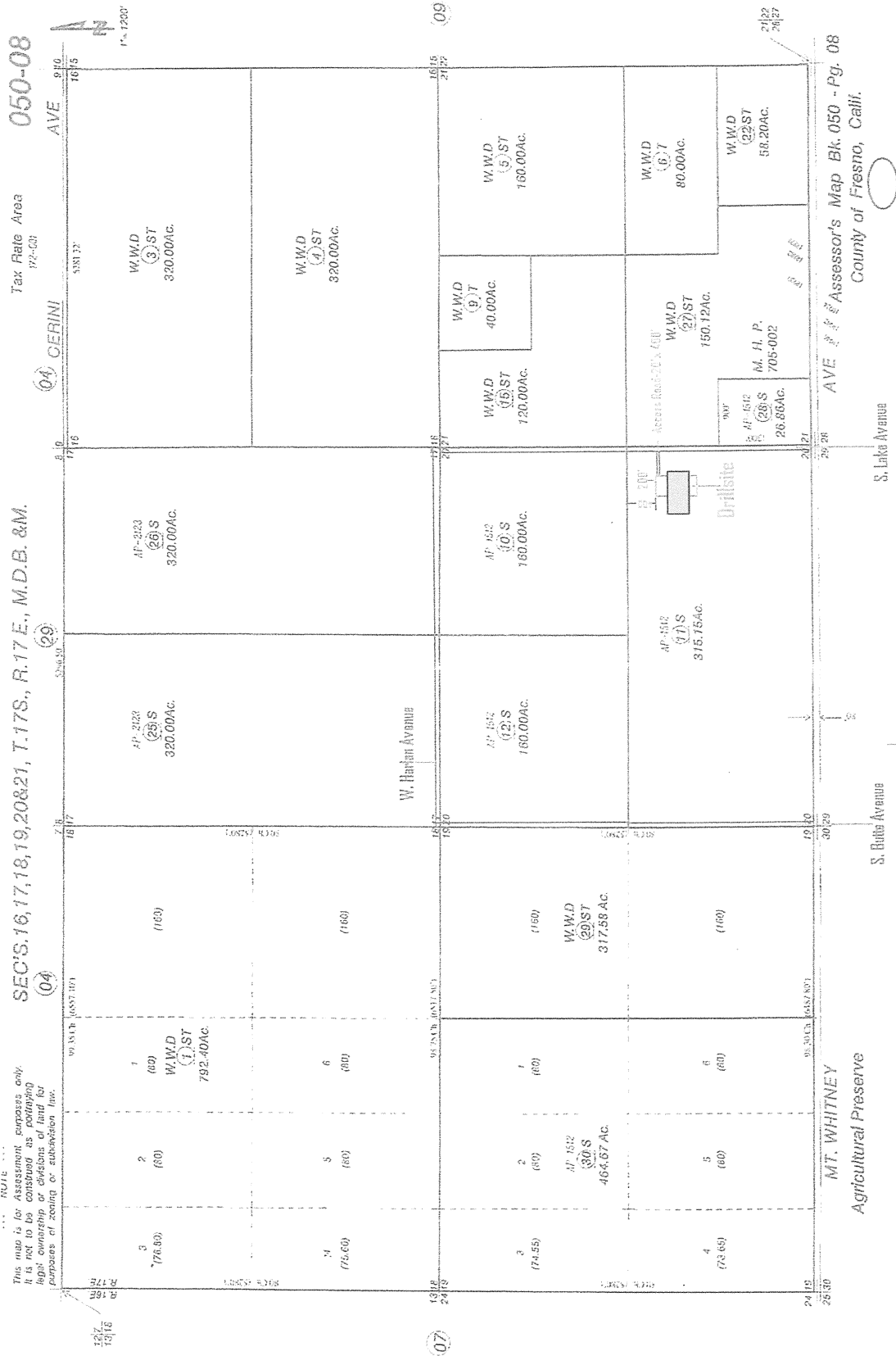
Department of Public Works and Planning
Development Services Division



Map Prepared by: JHernandez
JGISJCHILanduse@

550'W & 2080'N from the SW/c Sec 20, T17S, R17E, MDB&M

EXHIBIT 5



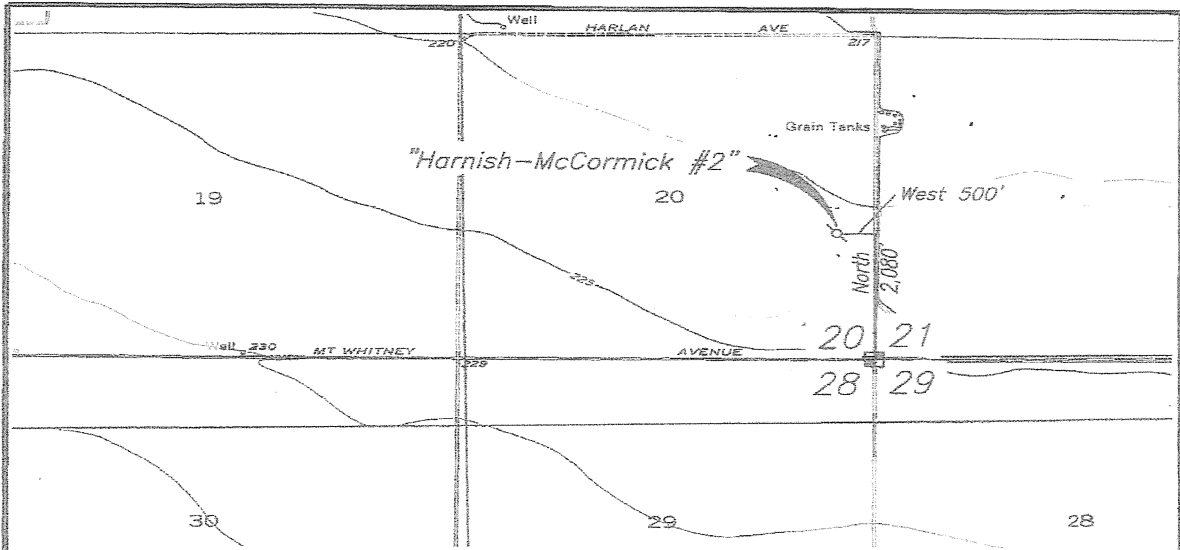
NOTE: This map is for Assessment purposes only. It is not to be used to determine legal ownership or divisions of land for purposes of zoning or subdivision law.

CUP 3542
RECEIVED
COUNTY OF FRESNO

JUL 20 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
PERMITTING SERVICES DIVISION

Harnish-McCormick #4, 50' west of Harnish-McCormick #2 on a new drill pad running east to west.

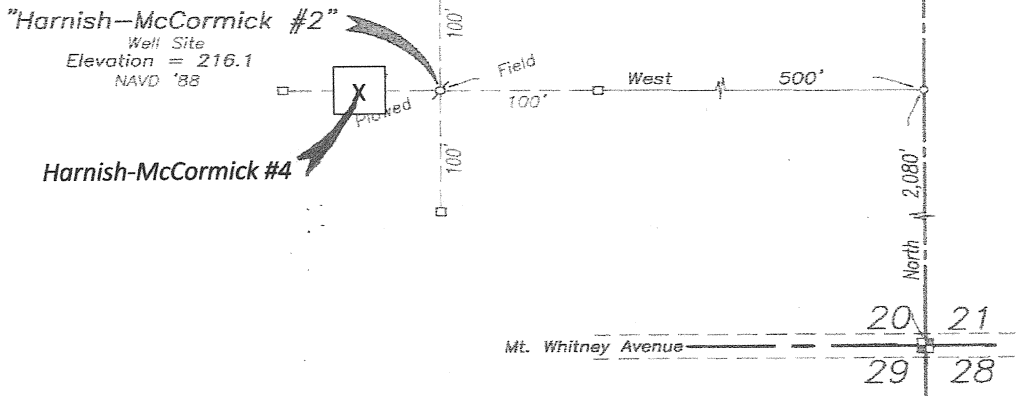


Westside Quad 1"=2000'



LEGEND

- ⊗ Set 5/8" Rebar
- Set Hub



State Plane Coordinates

NAD '83, Zone 4 (Latitude & Longitude, WGS '84)

Well Site "Harnish-McCormick #2"
 N. = 2,043,557 = Y (36.435250")
 E. = 6,226,119 = X (120.140716")

Control Pt. - NGS "HPGN D CA 06 NE"
 N. = 2,040,878.31
 E. = 6,237,031.50
 Elevation = 219.0 (NAVD '88)

SURVEYORS' CERTIFICATE

I hereby certify that this is a true and correct representation of a survey made by me or under my direction on October 28, 2015.

David M. Garrett
 David M. Garrett P.L.S. 8295

BASIS OF BEARING

Bearings shown hereon refer to the East line of Section 20, the bearing of which is assumed to be North.

SECTIONAL WELL COORDINATES
 (For reference only)

To: "Harnish-McCormick #2"
 2,080' North and 500' West of the Southeast corner of Section 20, T. 17 S., R. 17 E., M.D.M.

cta Engineering & Surveying
 Civil Engineering • Land Surveying • Land Planning
 2233 Monitor Circle, Rancho Cordova, CA 95742
 T (916) 638-0212 • F (916) 638-2475 • www.cta.net

WELLSITE SURVEY FOR:
 TEMPLOR PETROLEUM COMPANY, LLC
 "Harnish-McCormick #2"
 Section 20, T 17 S, R 17 E, M.D.M.
 FRESNO COUNTY CALIFORNIA

DATE:	OCT. 28, 2015
SCALE:	1"=100'
DR.	CHK.
D.G.	K.H.
P.B.	REF.
	1102-63
JOB NO.	12-013

CUP 3542
 RECEIVED
 COUNTY OF FRESNO

JUL 20 2016

DEPARTMENT OF PUBLIC WORKS
 AND PLANNING
 DEVELOPMENT SERVICES DIVISION

DETAIL PLAN OF DRILLSITE
 TEMBLOR PETROLEUM COMPANY LLC
 HARNISH-MCCORMICK #4

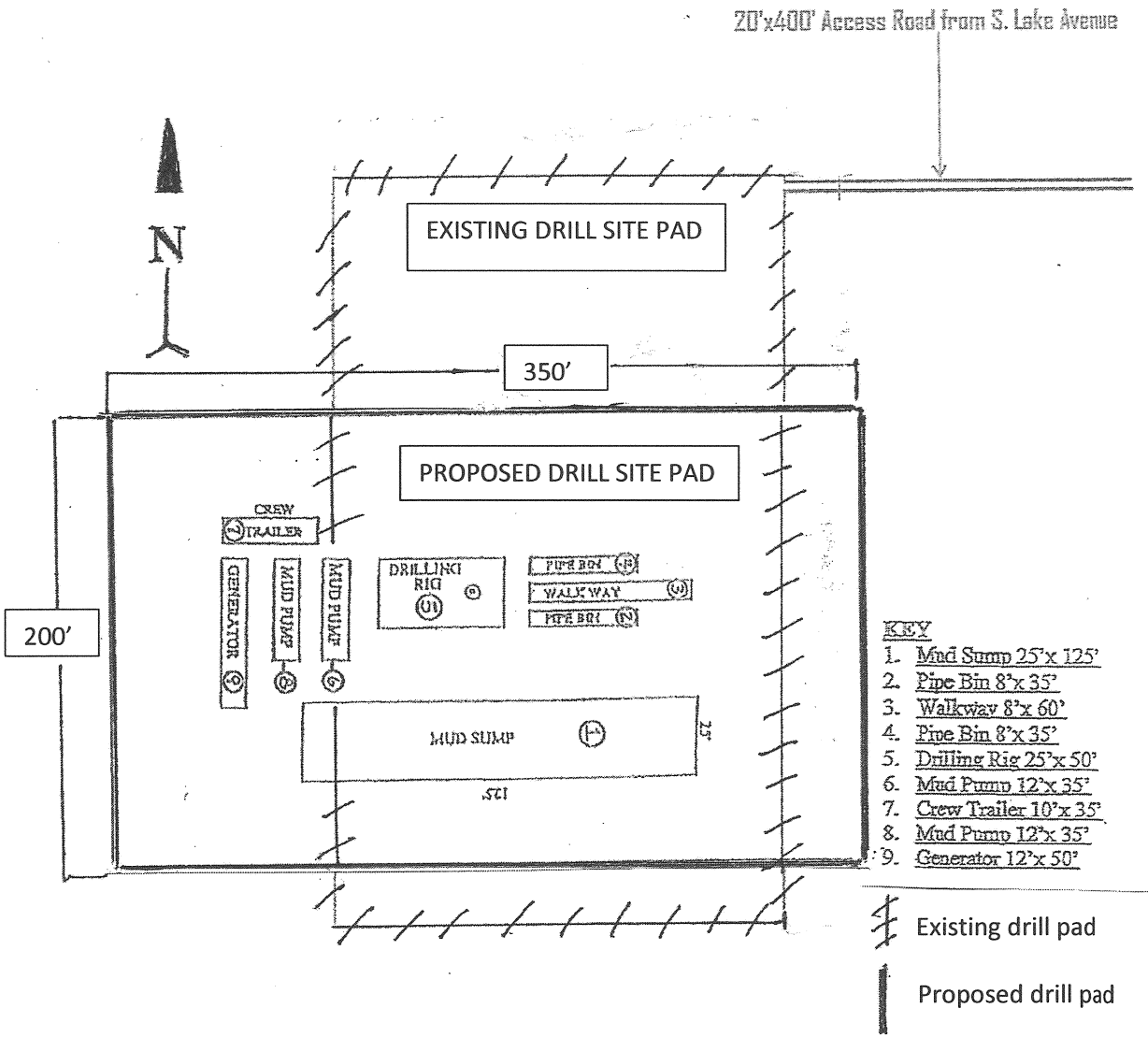
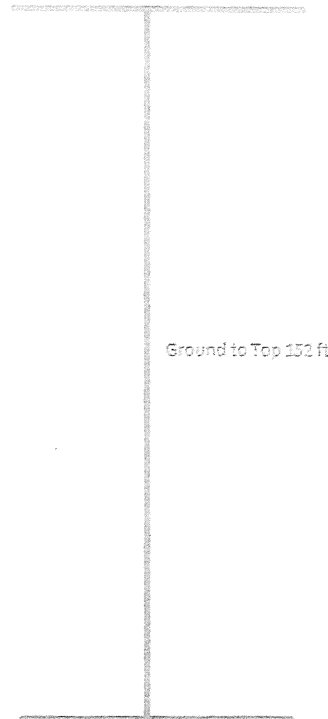
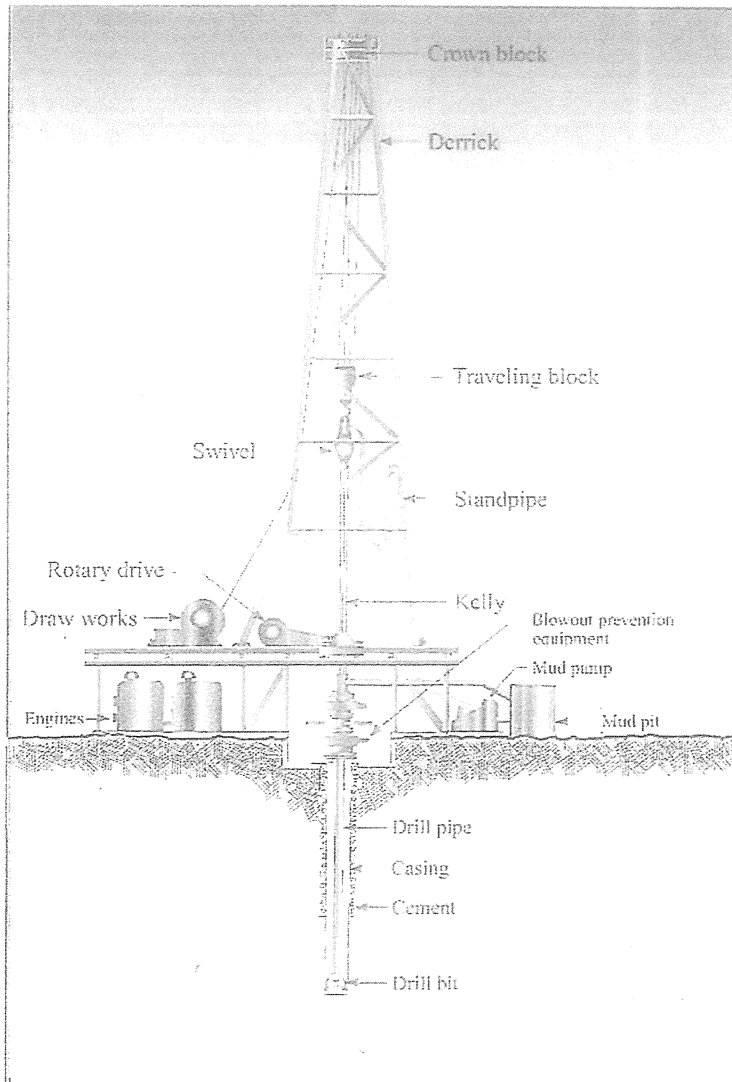


EXHIBIT 6

TEMBLOR PETROLEUM COMPANY LLC

HARNISH-MCCORMICK #4

TYPICAL OILWELL PRODUCTION/COMPLETION RIG MEASUREMENTS



CWP 3542
RECEIVED
COUNTY OF FRESNO

JUL 20 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

EXHIBIT 7



Inter Office Memo

DATE: May 22, 2014
TO: Board of Supervisors
FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12443 - INITIAL STUDY APPLICATION NO. 6742
and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO.
3420

APPLICANT: Temblor Petroleum Co, LLC
OWNER: Ted R. Frame

REQUEST: Allow an exploratory petroleum oil and natural
gas well on a 1.6-acre portion of a 315.15-acre
parcel in the AE-20 (Exclusive Agriculture, 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 May 22, 2014, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Rocca and seconded by Commissioner Ferguson 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. 3420, subject to the Conditions listed in Exhibit "B".

EXHIBIT "A"

Initial Study Application No. 6742
Unclassified Conditional Use Permit Application No. 3420

Staff: The Fresno County Planning Commission considered the Staff Report dated May 22, 2014, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information:

- In 2008, the Applicant completed an exploratory well on the subject parcel which did not yield oil or natural gas, and has filed this application for further exploration on the site.
- The proposed exploratory well will be drilled to a depth of 9,000 feet, and will take approximately 20 days to drill.
- The Applicant has a surface owner agreement with the owner of the subject property to access mineral rights held by the Applicant.

Others: No other individuals presented information in support of or in opposition to the project.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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Mitigation Monitoring and Reporting Program
Initial Study No. 6742 / Unclassified Conditional Use Permit Application No. 3420
(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 towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	On-going
*2.	Aesthetics	All portable lighting including lights located atop the drill rig shall be pointed downward towards the base of the rig to minimize potential glare.	Applicant	Applicant/PW&P	On-going
*3.	Aesthetics	All drilling towers shall be marked and lighted in such a manner as to avoid potential safety hazards to aircraft application of herbicides and pesticides on adjacent farmlands.	Applicant	Applicant/PW&P	On-going
*4.	Agricultural and Forestry Resources	When drilling operations are completed, the Applicant shall return the project site (as much as practical) to its original condition within 90 days of termination of the drilling operations and remove all drilling equipment.	Applicant	Applicant/PW&P	On-going
*5.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	On-going
*6.	Transportation /Traffic	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 the County roadway (Mount Whitney Avenue).	Applicant	Applicant/PW&P	On-going

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and Conditions of Approval reference recommended Conditions for the project.

Conditions of Approval

1.	Development of the property shall be in accordance with the Site Plans, Floor Plan, Elevations, and Operational Statement approved by the Planning Commission.
2.	The Applicant shall contact the San Joaquin Valley Air Pollution Control District's Small Business Assistance Office to determine if an Authority to Construct (ATC) is required prior to commencing drilling operations.

Notes

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

1.	Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for siting, construction and electrical work.
2.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at the proposed driveway that will access the Lake Avenue alignment.
3.	Prior to occupancy, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
4.	All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.5.
5.	Prior to occupancy, the Applicant shall submit a Spill Prevention Control and Countermeasure Plan (SPCC) to the Fresno County Department of Public Health, Environmental Health Division, for review and approval for above-ground petroleum storage tanks with an aggregate storage capacity equal to or greater than 1,320 gallons.
6.	The project may be subject to the following San Joaquin Valley Air Pollution Control District rules and regulations: <ul style="list-style-type: none"> A. Regulation VIII – Fugitive PM10 Prohibitions B. Rule 2280 (Portable Equipment Registration) C. Rule 4102 – Nuisance D. Rule 4601 – Architectural Coatings E. Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations
7.	Any work performed within the County's right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.
8.	Any additional storm water run-off generated by the project cannot be drained across property lines or into County Right-of-Way, and must be retained on site per the County Standards.
9.	A detailed drilling proposal shall be submitted to the State Department of Conservation, Division of Oil, Gas and Geothermal Resources

Notes

in order to obtain specific drilling requirements of the proposed drilling operation. Contact the California Department of Conservation, Division of Oil, Gas and Geothermal Resources at (559) 935-2941 for more information.

10. Any hazardous waste (liquid or solid) retrieved from the site during well drilling operations must be transported to an approved waste disposal facility.

11. The Applicant is requested to ensure that any noise-generating construction/drilling equipment be equipped with mufflers, per the manufacturer's specifications.

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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

June 11, 2014

Temblor Petroleum Co, LLC
5201 California Avenue #240
Bakersfield CA 93309

Dear Applicant:

Subject: Resolution No. 12443 - Initial Study Application No. 6742 and Unclassified Conditional Use Permit Application No. 3420

On May 22, 2014, the Fresno County Planning Commission approved your application with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk of 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 dchambers@co.fresno.ca.us or 559-600-4205.

Sincerely,


Derek Chambers, Planner
Development Services Division

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Enclosure

EXHIBIT 8

OPERATIONAL STATEMENT
DEVELOPEMNT SERVICES DIVISION
PLANNING & RESOURCE MANAGEMENT DEPARTMENT
FOR

CUP 3542
RECEIVED
COUNTY OF FRESNO

JUL 20 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

TEMBLOR PETROLEUM COMPANY LLC

5201 California Ave, Suite 340

Bakersfield, CA 93309

FOR

Harnish-McCormick #4

Sec 20, T17S, R17E, MDB&M

APN# 050-080-11S

1. Nature of the operation:

This project proposes to move in a temporary, portable drilling rig to drill and explore for the accumulation of oil and gas. The well will be drilled to a total measured depth of approximately 10,000'. The drilling rig, itself, is expected to be on location for approximately 25 days. If oil and gas is found in commercial quantities, casing will be installed and the well will be completed, the main drilling rig will be released and a smaller completion rig moved in and the well finalized, which could consume another 30 days. If the results are positive, an application for an additional Conditional Use Permit for production facilities will be submitted.

A new drilling pad will be built lying east to west across the existing drill pad which has already been built for the (13-52) Harnish-McCormick #2 well on the Unclassified Conditional Use Permit Application No. 3420. The proposed well, Harnish-McCormick #4, will be drilled 50' west of the existing well. The new drill pad (E-W) and the existing drill site (N-S) both measure 200' x 350'. Access to the location will be on existing county roads, improved and unimproved. A temporary well cellar (8' x 8" x 6') will be built and conductor pipe will be cemented at the well location to a depth of 80 feet. This preliminary work will require four to six days of daylight activity.

A mobile drilling rig will be set up- for drilling. The move and rigging-up should take a maximum of two days. Actual drilling time is estimated to take approximately 25 days. Drilling is a continuous 24 hour per day operation. The drilling crew consists of four men working eight hour shifts, three shifts per day. They will be surprised by a rig company drilling foreman and a representative from Temblor Petroleum Company LLC.

No hazardous material will be used in the drilling mud system. All drilled cuttings will be separated from the mud system, de-watered and stored on the location until the drilling is completed. They will then be hauled to a municipal waste disposal facility that handles non-hazardous waste. Liquid waste (water from the drilling mud) will be re-used as needed in the mud system. The excess will be stored on the site and hauled away to a non-hazardous waste disposal facility at the end of the job. A portable sanitary facility will be used. It will be pumped out on a regular basis for disposal at an approved off-site location.

If the well is unsuccessful, it will be plugged with cement as required by the California Division of Oil and Gas. The drilling rig and all of the equipment will be removed from the site. The temporary cellar will be removed and the site and access road will be

cleaned up and returned to their original condition. The total time that the site will be used is four to five weeks if oil or gas is not discovered.

If the well shows encouragement, the drilling rig will set steel casing in the well. The casing will be cemented as required. Fresh water zones will be protected with cement. A smaller, portable completion rig will be used instead of the drilling rig to complete the well. It may be required to run logs, perforate oil/gas sands, make tests and run tubing. If the well is expected to produce primarily oil, it will be produced into portable tanks during an initial test period. The capacity of the well will be estimated at this time and permanent facilities will be designed based on expected capacity. The time required for initial testing of an oil well is not expected to exceed two months. If a completion is deemed justified, an application for an additional Conditional Use Permit for production facilities will be submitted.

If the well is expected to produce primarily natural gas, it will be produced into a portable gas/liquid separator and flare system with any liquids being contained in a portable tank. The produced gas will be metered and then incinerated in the flare utilizing an air induction line, continuous pilot, and wind shroud to ensure complete combustion. The capacity of the well will be estimated at this time and permanent facilities will be designed based on the expected capacity. The time required for initial testing of a gas well is not expected to exceed one month. If there is a sufficient volume of gas available on a regular basis, it will be transported by pipeline to a nearby gas purchaser. If a completion is deemed justified, an application for an additional Conditional Use Permit for production facilities will be submitted.

Oil will be trucked from the site. One or two trucks per day may be needed at first, but the frequency will lessen as the oil production rate falls off during the first few months. Water hauling may require only one truck per week at the outset.

A company operator will monitor the well on a daily basis to ensure that the operation continues as required. Producing operations will continue as long as it is profitable. It is hoped that the economic life will be twenty years or longer.

2. Operational time limits:

See the time windows above. The drilling rig will operate 24 hours per day, 7 days a week until completed. The completion rig will operate +/- 12 hours per day.

3. Number of customers or visitors:

During an average day while drilling and subsequently while completing the well, if commercial production is encountered, there will be an average +/- 10 workers on site with 10-25 other workers temporarily arriving and going with various supplies and activities. The frequency of large trucks at the site will be minimal after the rig is set up and drilling begins. These trucks will enter the site occasionally after drilling begins. These visits will average only two trips per day during this period. Most of the large trucks will be used to move the drilling rig and the equipment at the beginning and at the end of the drilling project. The trucks are needed during drilling only for special operations such as setting surface casing, cementing and logging. Visits by automobiles and pickup trucks may run about ten per day. They will involve crew shift changes, mud loggers, engineers and deliveries of small expendable items to the rig and company representatives.

4. Number of employees:

Please see the answer in #3. Exhibit 8 - Page 2

5. Service and delivery vehicles:

It will take +/- 35 tractor and trailer loads of equipment to erect the drilling rig with 3/5 tractor and trailer loads of various equipment and supplies moving in and out over every 24-hour period.

6. Access to the site

Mr. Whitney Avenue to S. Lake Avenue; then North of S. Lake Avenue to the project site.

7. Parking:

The existing drill site is bladed and on a flat field. It is 200' x 350' in size. Temporary parking will not be a problem.

8. Goods on sale:

There are no goods for sale.

9. Equipment used:

Please see the answer in #1 above.

10. Supplies:

Diesel fuel will be on site for fuel to run the drilling rig. The diesel will be stored in tanks specifically designed to contain diesel. Other various non-hazardous products to formulate drilling fluids will also be on location to allow the well to be drilled. The drilling fluids products will be in dry bagged form and miscellaneous buckets of products. The formulated drilling fluid will be in above ground steel tanks. Various steel casings and tubular products will also be on location, which will be used in the drilling and completion of the well.

11. Appearance:

During the drilling operation, noise will only consist of the running of approximately 3-500 horsepower main rig engines with industrial mufflers with some (+/- 2) auxiliary 50 hp. engines. The noise of these engines will not be noticeable outside the boundaries of the location. Glare and odor will not be a problem. The location will be periodically watered to prevent any dust problem.

12. Solid & Liquid Waste:

During the drilling of the well, approximately 1700 barrels or 350 yards or +/- 437 tons of solid cuttings will be brought out of the well and stored in a pit 25' wide by 150' long by +/- 5' deep. The cuttings will be analyzed when drilling is completed for hazardous content. Historical analysis of cuttings to date indicates cuttings are non-hazardous. Therefore, assuming the non-hazardous analysis applies for Tremblor KCDL #2, the cuttings alone with the drilling mud will be hauled off to an approved disposal site.

In addition to the cuttings themselves, approximately 2500 barrels of liquid drilling mud will be produced during the drilling of the well. This liquid too, will be analyzed, and if found non-hazardous as 99.9% of the drilling mud water samples are, this material will be hauled off site to an approved non-hazardous drilling mud disposal site.

Any and all wastes found to be hazardous will be hauled off to a certified and approved California hazardous wastes disposal site.

13. Estimated water:

It is estimated during the course of the drilling operation, approximately 1400 gallons of water per day will be used during the drilling of the well. This water will be used to manufacture the drilling fluid and to make cement, which will be used to cement the outside of the casings. And, if the well is deemed to be a dry hole, the water will be utilized to formulate cement to place abandonment cement plugs in the hole in accordance with the rules and regulations of the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, Coalinga Division. Water will be purchased offsite and trucked in when needed to replenish the onsite water tank.

14. Advertising:

No advertising, whatsoever, will exist.

15. Buildings:

No existing buildings will be used, nor will any buildings be constructed for this temporary drilling operation.

16. Buildings:

No existing buildings will be used, nor will any buildings be constructed for this temporary drilling operation.

17. Lighting/Sound:

The rig and location will be totally lit during the night for working operations by portable temporary lights that will be focused on the rig and drilling location. There will not be any sound amplifications systems.

18. Landscaping:

Since this is a temporary situation, no landscaping or fencing is proposed.

19. Additional information:

See attached maps for reference.

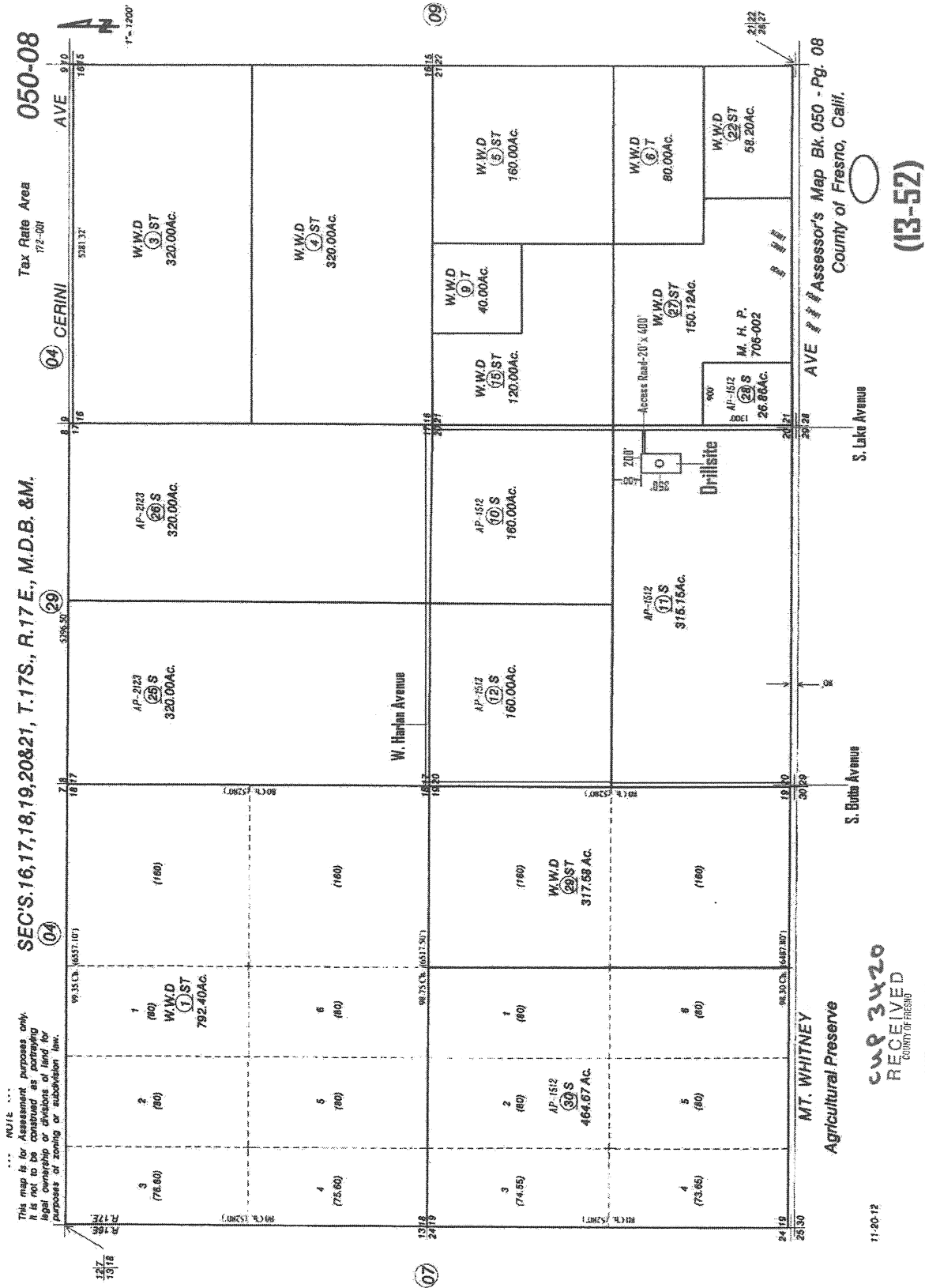
END OPERATIONAL STATEMENT CHECKLIST

TEMBLOR PETROLEUM COMPANY LLC



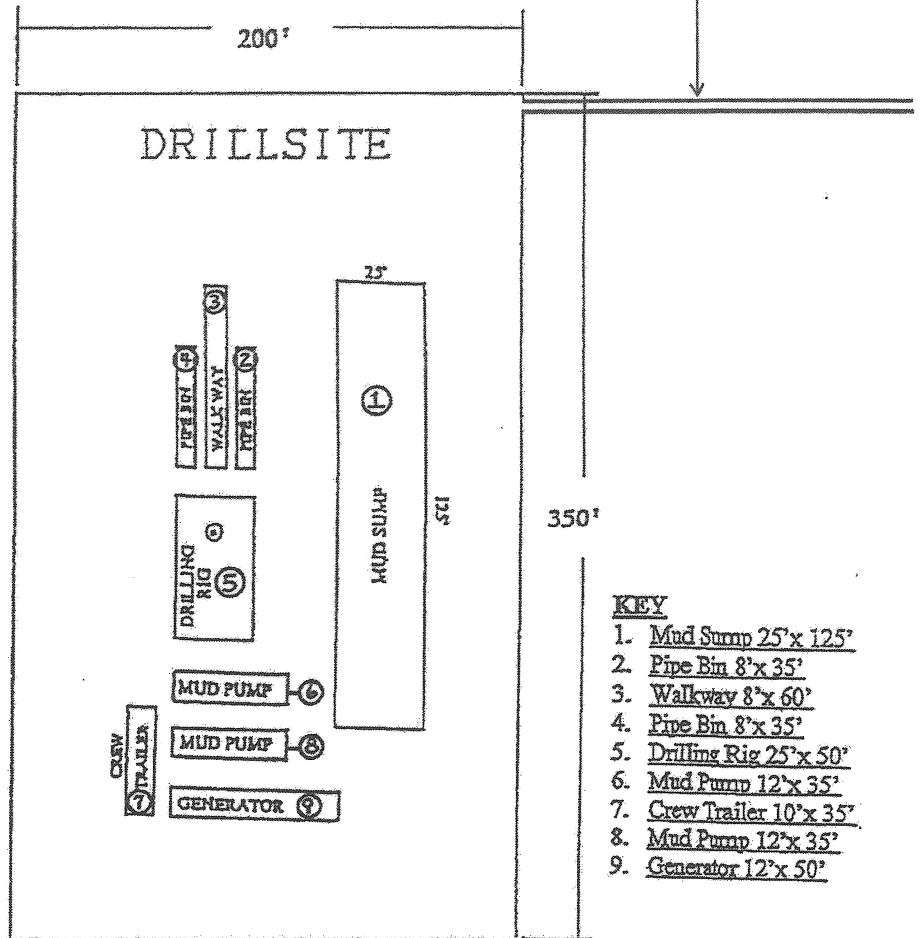
Mary Halpin
Irani Engineering
Agent for Temblor Petroleum Company LLC

EXHIBIT 9



11-20-12
 CWP 3420
 RECEIVED
 COUNTY OF FRESNO
 AUG 02 2013
 DEPARTMENT OF PUBLIC WORKS
 AND PLANNING
 DEVELOPMENT SERVICES DIVISION

20'x400' Access Road from S. Lake Avenue



CWP 3420
RECEIVED
COUNTY OF FRESNO

AUG 02 2013

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

DETAIL PLAN OF DRILLSITE

(13-52)Harnish-McCormick #2 Well



EXHIBIT 10

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Temblor Petroleum Company, LLC

APPLICATION NOS.: Initial Study Application No. 6742 and Unclassified Conditional Use Permit Application No. 3420

DESCRIPTION: Allow an exploratory petroleum oil and natural gas well on a 1.6-acre portion of 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).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; or
- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.

Improvements to be utilized for the proposed exploratory oil and natural gas well include: 152-foot tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-

DEVELOPMENT SERVICES DIVISION

foot walkway; 64 square-foot, six-foot deep well cellar containing the wellhead; two mud pumps; diesel-powered generator; and 350 square-foot employee trailer.

The subject parcel is located in an agricultural area marked by relatively large parcel sizes and few residential land uses. The unincorporated community of Five Points is located approximately two miles east of the subject parcel, and the intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) is also located approximately two miles to the east. Additionally, an agricultural fertilizer manufacturing operation is located approximately one mile southeast of the subject parcel, and the San Luis Drain is located approximately two and a half miles to the northeast. The subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal will utilize outdoor lighting during drilling operations which has the potential of generating new sources of light and glare in the area. However, the impacts related to light and glare within the area are not expected to be significant in that all lighting will be required to be hooded and directed down towards the base of the drilling rig so as to not shine towards adjacent properties and on public streets. Lighting and marking of the drilling tower is also required in order to reduce potential conflicts with nighttime aerial application of herbicides and pesticides on adjacent agricultural lands. These requirements will be included as Mitigation Measures.

* **Mitigation Measures**

1. *All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.*
2. *All portable lighting including lights located atop the drill rig shall be pointed downward towards the base of the rig to minimize potential glare.*
3. *All drilling towers shall be marked and lighted in such a manner as to avoid potential safety hazards to aircraft application of herbicides and pesticides on adjacent farmlands.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or

- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is not located on forest land, is classified as Farmland of Statewide Importance on the Fresno County Important Farmland Map (2010), and is enrolled under Agricultural Land Conservation Contract (Williamson Act Contract) No. 1512. This proposal entails the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.

According to the Policy Planning Section of the Fresno County Department of Public Works and Planning, exploratory oil wells are a compatible use on property subject to Williamson Act Contract.

Although this proposal will preclude the agricultural cultivation of approximately 1.6 acres of farmland, this loss of farmland is less than significant considering that the remaining 313.55 acres of the subject parcel will remain available for agricultural use. Further, a Mitigation Measure will be included requiring that the project site be returned to its original condition upon cessation of operations.

* **Mitigation Measure**

1. *When drilling operations are completed, the Applicant shall return the project site (as much as practical) to its original condition within 90 days of termination of the drilling operations and remove all drilling equipment.*

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or

- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District (Air District), the Applicant shall contact the Air District's Small Business Assistance Office to determine if an Authority to Construct (ATC) is required prior to commencing drilling operations. This requirement will be included as a Condition of Approval. Further, the project may also be subject to the following Air District Rules: Regulation VIII (Fugitive Dust Rules), Rule 2280 (Portable Equipment Registration) requiring all portable emission units (including drilling rigs) to be registered with the California Air Resource Board (CARB) or with the Air District, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Compliance with Air District Rules will reduce air quality impacts of the subject proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an agricultural area and has been previously disturbed as said property has been historically utilized for agricultural cultivation. Additionally, neighboring properties have also been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns related to the project. This proposal

was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify any concerns. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; and 4.) The movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located in an area designated to be highly or moderately sensitive for archeological resources. However, in the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be contacted to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation Measure will reduce potential impacts to cultural resources to a level of insignificance.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and*

disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.

VI. GEOLOGY AND SOILS

A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?

(a.) Strong seismic ground shaking?

(b.) Seismic-related ground failure, including liquefaction?

(c.) Landslides?

FINDING: NO IMPACT:

The area is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Design Category C Standards.

B. Would the project result in substantial erosion or loss of topsoil; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is for the most part flat and while changes in topography and erosion may result from grading activities associated with this proposal, it is not likely. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, excavations for wells or trenches for utilities, and exploratory excavations performed under the direction of a registered design professional are exempted work and a Grading Permit is not required per Fresno County Ordinance Code. However, in instances where a Grading Permit is not required, but where there may be an impact on surrounding properties, a Grading Voucher may be required.

C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or

D. Would the project be located on expansive soils creating substantial risks to life or property; or

FINDING: NO IMPACT:

The project site is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.

E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal does not entail the utilization of any on-site septic system. Portable toilets will be utilized for the project and the associated waste will be removed from the project site and disposed of at an appropriate facility.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Compliance with the San Joaquin Valley Air Pollution Control District (Air District) Rules discussed in Section III (Air Quality) of this analysis will reduce air quality impacts of the subject proposal to a less than significant level.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Applicant shall be required to submit a Hazardous Materials Business Plan to the Environmental Health Division of the Fresno County Department of Public Health for review and approval prior to commencing operations, and all hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.5 which discusses proper labeling, storage and handling of hazardous wastes. Additionally, a Spill Prevention Control and Countermeasure Plan (SPCC) shall be required for above-ground petroleum storage tanks with an aggregate storage capacity equal to or greater than 1,320 gallons. With adherence to these requirements, which will be included as Project Notes, this proposal will have a less than significant impact in regard to the handling and accidental release of hazardous materials. Further, there are no schools within one-quarter mile of the project site.

- D. Would the project be located on a hazardous materials site; or

FINDING: NO IMPACT:

No hazardous materials sites are located within the boundaries of the subject parcel.

E. Would a project be located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or

F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area; or

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.

G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan.

H. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), applicants for oil and gas development projects shall submit detailed drilling proposals to DOGGR in order to obtain specific drilling requirements for their projects. This requirement, as well as a standard DOGGR requirement for all hazardous and non-hazardous wastes and materials generated by the exploratory well drilling operation to be hauled off to an approved waste disposal facility, will be included as Project Notes.

The California Regional Water Quality Control Board (RWQCB) has consistently commented that the requirement to file a Report of Waste Discharge with said agency for the temporary discharge of drilling muds/boring wastes to an unlined sump may be waived subject to the following criteria: a) drilling mud can remain in a sump only if the discharger can demonstrate the mud is non-hazardous and does not contain halogenated solvents; b) drilling mud must first be dried (fluids removed), then the site must be restored to pre-sump conditions within 60 days of well completion or abandonment, and the backfilled sump must be covered with at least one foot of clean soil; c) the sump must be greater than 100 feet from the nearest surface water and the bottom of the sump must be at least five feet above the highest groundwater elevation. Additionally, if the exploratory well becomes commercially productive, the Applicant shall identify an acceptable method for the disposal of water produced by operations. As such, the Applicant shall be required to contact the RWQCB for any permits needed for drilling fluid disposal prior to commencing operations. This requirement will be included as a Project Note.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, Development Services Division, which expressed no concerns with the project as it relates to water quantity as the subject parcel is not located in a water short area and no use of on-site ground water is proposed as the Applicant will truck water to the project site for operational purposes and bottled water will be provided to employees for consumption.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off-site; or

FINDING: NO IMPACT:

No streams or rivers are located near the subject parcel.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

- F. Would the project otherwise substantially degrade water quality; or

FINDING: NO IMPACT:

No additional water quality impacts were identified in the project analysis.

G. Would the project place housing within a 100-year floodplain; or

FINDING: NO IMPACT:

No housing is proposed with this project.

H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, southerly portions of the subject parcel are located within Flood Zone A, which is subject to flooding from the 100-year storm. Any work performed within designated Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance. This requirement will be included as a Project Note.

I. Would the project expose persons or structures to levee or dam failure; or

J. Would the project inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject parcel is not prone to seiche, tsunami or mudflow, nor is the subject parcel exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community; or

FINDING: NO IMPACT:

This proposal will not physically divide a community. The subject parcel is located approximately two miles west of the unincorporated community of Five Points.

B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is designated Agriculture in the Fresno County General Plan. The Agriculture and Land Use Element of the General Plan lists mineral extraction and oil and gas

development as non-agricultural uses permitted in areas designated Agriculture, subject to Policies listed in Section OS-C of the General Plan.

Policy OS-C.13 requires a special permit for exploratory oil and gas drilling due to the potential for adverse effects on surrounding land uses. In this instance, the subject discretionary land use application (Conditional Use Permit Application No. 3420) satisfies Policy OS-C.13. Policy OS-C.17 requires timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the project site to its primary land use as designated by the General Plan. In this instance, as discussed in Section II (Agricultural and Forestry Resources) of this analysis, a Mitigation Measure has been included requiring the Applicant to remove all drilling equipment and return the project site to its original condition within 90 days of terminating drilling operations. Policy OS-C.20 requires no human occupancy to be located near any active petroleum or natural gas well unless suitable safety and fire protection measures and setbacks are approved by the local Fire District. In this instance, the nearest dwelling unit is located approximately 1,520 feet southeast of the exploratory well location. Further, the Fresno County Fire Protection District reviewed this proposal and expressed no concerns with the project.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

This project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis. The site is not located in an identified mineral resource area identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise level; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division, Section 8.40.060 of the Fresno County Noise Ordinance specifically exempts noise sources from activities associated with the drilling of petroleum, oil, gas, or water wells from the Noise Ordinance. However, considering that the project has the potential to create additional noise in the area, the Applicant is requested to ensure that any noise generating construction/drilling equipment be equipped with mufflers, per the manufacturer's specifications. This request will be provided to the Applicant in the form of a Project Note.

- E. Would the project expose people to excessive noise levels associated with a location near an airport, or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The subject parcel is not located in the vicinity of a public airport or private airstrip, and is not impacted by airport noise.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities in the following areas:
1. Fire protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District reviewed this proposal and expressed no concerns with the project.

2. Police protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Sheriff's Department, nighttime drilling operations may result in the Sheriff's Department receiving noise complaints. As such, the Sheriff's Department recommends that neighboring property owners be made aware of this proposal. Staff notes that a Notice of Public Hearing will be provided to neighboring property owners within 1,320 feet of the subject parcel that will identify the subject proposal and corresponding Planning Commission Hearing date. Further, according to the Fresno County Department of Public Health, Environmental Health Division, Section 8.40.060 of the Fresno County Noise Ordinance specifically exempts noise sources from activities associated with the drilling of petroleum, oil, gas, or water wells from the Noise Ordinance.

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system taking into account all modes of transportation; or

B. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demands measures; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.

The subject parcel is located on the north side of Mount Whitney Avenue, between the Butte Avenue alignment and the Lake Avenue Alignment. The intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) is located approximately two miles east of the subject parcel. Access to the exploratory well location will be from Mount Whitney Avenue via the Lake Avenue alignment, and a proposed 20-foot wide on-site access road will connect the exploratory well location to the Lake Avenue alignment.

According to the Applicant's Operational Statement, approximately 70 one-way truck trips per day (35 round trips per day) will be generated during the assembly of the drilling rig which will take approximately two days to complete. Once assembled, the drilling rig will run 24 hours per day for approximately 25 days, and four-person crews supervised by a foreman and an Applicant Representative will operate the drilling rig during three 8-hour shifts per day. As such, drilling of the exploratory well will generate approximately 36 one-way employee trips per day (18 round trips per day) for approximately 25 days. Additionally, up to ten one-way truck trips per day (5 round trips per day) may also be generated during the project for the delivery of various equipment and supplies to the exploratory well site.

This proposal was reviewed by the California Department of Transportation (CALTRANS) and the Design Division of the Fresno County Department of Public Works and Planning. Neither of these agencies expressed any concerns regarding the carrying capacities of the adjacent roadways, nor did either agency require a Traffic Impact Study.

C. Would the project result in a change in air traffic patterns; or

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns.

D. Would the project substantially increase traffic hazards due to design features; or

E. Would the project result in inadequate emergency access; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Access to the exploratory well location will be from Mount Whitney Avenue via the Lake Avenue alignment, and a proposed 20-foot wide on-site access road will connect the exploratory well location to the Lake Avenue alignment. This proposal was reviewed by the California Department of Transportation (CALTRANS) and the Design Division of the Fresno County Department of Public Works and Planning, neither of which agency identified any concerns regarding increased traffic hazards or emergency access. According to the Road

Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, a grizzly and/or gravel pad shall be installed as a mitigation measure to minimize sediment transport from vehicles and equipment onto the County roadway (Mount Whitney Avenue).

* **Mitigation Measures**

1. *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 the County roadway (Mount Whitney Avenue).*

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

The project will not conflict with any adopted alternative transportation plans. No such impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or

- B. Would the project require construction of or the expansion of a new water or wastewater treatment facilities; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- C. Would the project require or result in the construction or expansion of new stormwater drainage facilities; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.B Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

F. Would the project be served by a landfill with sufficient permitted capacity; or

G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project may impact cultural resources. The included Mitigation Measure in Section V (Cultural resources) will minimize such impacts to less than significant.

B. Does the project have impacts that are individually limited, but cumulatively considerable; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed exploratory petroleum oil and natural gas well will adhere to permitting requirements, rules and regulations set forth by the San Joaquin Valley Air Pollution Control District, the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), and the California Regional Water Quality Control Board (RWQCB). No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Agricultural and Forestry Resources, Cultural Resources, and Transportation/Traffic which will be addressed with the Mitigation Measures discussed in Section I (Aesthetics), Section II (Agricultural and Forestry Resources), Section V (Cultural Resources), and Section XVI (Transportation/Traffic).

C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3420, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to mineral resources, population and housing, and recreation.

Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, and utilities and service systems have been determined to be less than significant. Potential impacts relating to aesthetics, agricultural and forestry resources, cultural resources, and transportation and traffic have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.

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