



## Inter Office Memo

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DATE: March 16, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12635 - UNCLASSIFIED CONDITIONAL USE PERMIT  
APPLICATION NO. 3542

APPLICANT: Temblor Petroleum Company LLC

OWNER: David & Marilyn Britz Trustees

REQUEST: 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).

### PLANNING COMMISSION ACTION:

At its hearing of March 16, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Lawson and seconded by Commissioner Borba to adopt the required Findings for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3542, subject to the Conditions listed in Exhibit B.



EXHIBIT A

Unclassified Conditional Use Permit Application No. 3542

- Staff: The Fresno County Planning Commission considered the Staff Report dated March 16, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. She described the project and offered the following information to clarify the intended use:
- This is an exploratory well and we are trying to develop the area and determine the parameters of this resource.
  - Two previous wells we believe will prove to be economically viable have not produced yet, as the approved production facility has yet to be set up.
  - It is possible that we will desire to drill additional wells on this same site in the future.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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

<b>Conditions of Approval</b>	
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 required Conditions for the project.

<b>Project Notes</b>	
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 B



# County of Fresno

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

April 3, 2017

Temblor Petroleum Company LLC  
5201 California Avenue #340  
Bakersfield CA 93309

Dear Applicant:

Subject: Resolution No. 12635 – Unclassified Conditional Use Permit Application No. 3542

On March 16, 2017, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. A copy of the Planning Commission Resolution is enclosed.

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

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

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

Sincerely,

Jeremy Shaw, Planner  
Development Services Division

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Enclosure