

Revisions to the Kern County Zoning Ordinance, 2015 C

Oil and Gas Activities

Joint Briefing Workshop



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California Environmental Quality Act

CEQA

- ▶ TO INFORM Decision makers about significant environmental effects
- ▶ TO IDENTIFY ways environmental damage can be avoided
- ▶ TO PREVENT avoidable environmental damage
- ▶ TO DISCLOSE to the public why a project is approved even if it leads to environmental damage

Process

- ▶ Notice of Preparation
 - ▶ Circulated on August 30, 2013
 - ▶ Workshops Held in:
 - ▶ Bakersfield
 - ▶ Taft
 - ▶ Lost Hills
 - ▶ Shafter

Draft EIR

- ▶ State Clearinghouse Number: 2013081079
- ▶ Review Period: July 8, 2015 - August 24, 2015
- ▶ Draft EIR available on Planning Website:
 - ▶ <http://pcd.kerndsa.com/planning/oil-gas-zoning-amendment>
 - ▶ <http://pcd.kerndsa.com/planning/environmental-documents/421-oil-gas-deir>

Ministerial Permits

- ▶ CEQA applies to any action when a project requires discretionary approval by a state or local governmental body.
- ▶ Projects may also require ministerial approvals that must comply with general plans and local ordinances such as building permits or marriage licenses.
- ▶ These ministerial permit approvals cannot be denied as long as the proponent meets the specifications detailed in the permit or license requirements, including applicable CEQA mitigation measures.
- ▶ CEQA does not apply when only ministerial approval is necessary. Under the proposed ordinance amendments, most O&G activities will require ministerial permits including compliance with County ordinance and EIR mitigation measures, and compliance with other laws

DEIR Contents

- ▶ 2 Volumes (Chapters 1-11) and Appendices
 - ▶ Project-Level Analysis
- ▶ Baseline = 2012
- ▶ Maximum New Wells per Year: 3647
- ▶ Average New Wells: 1800-2000

Agricultural Resources

Chapter 4.2

- ▶ Total Acres of Prime/Unique/Statewide Farmland in Tier 2: 828,973
- ▶ Maximum Acres of Conversion per Year: 298
- ▶ Maximum Acres of Conversion in Tier 2 (25 Years): 7,450

Agricultural Resources

Chapter 4.2

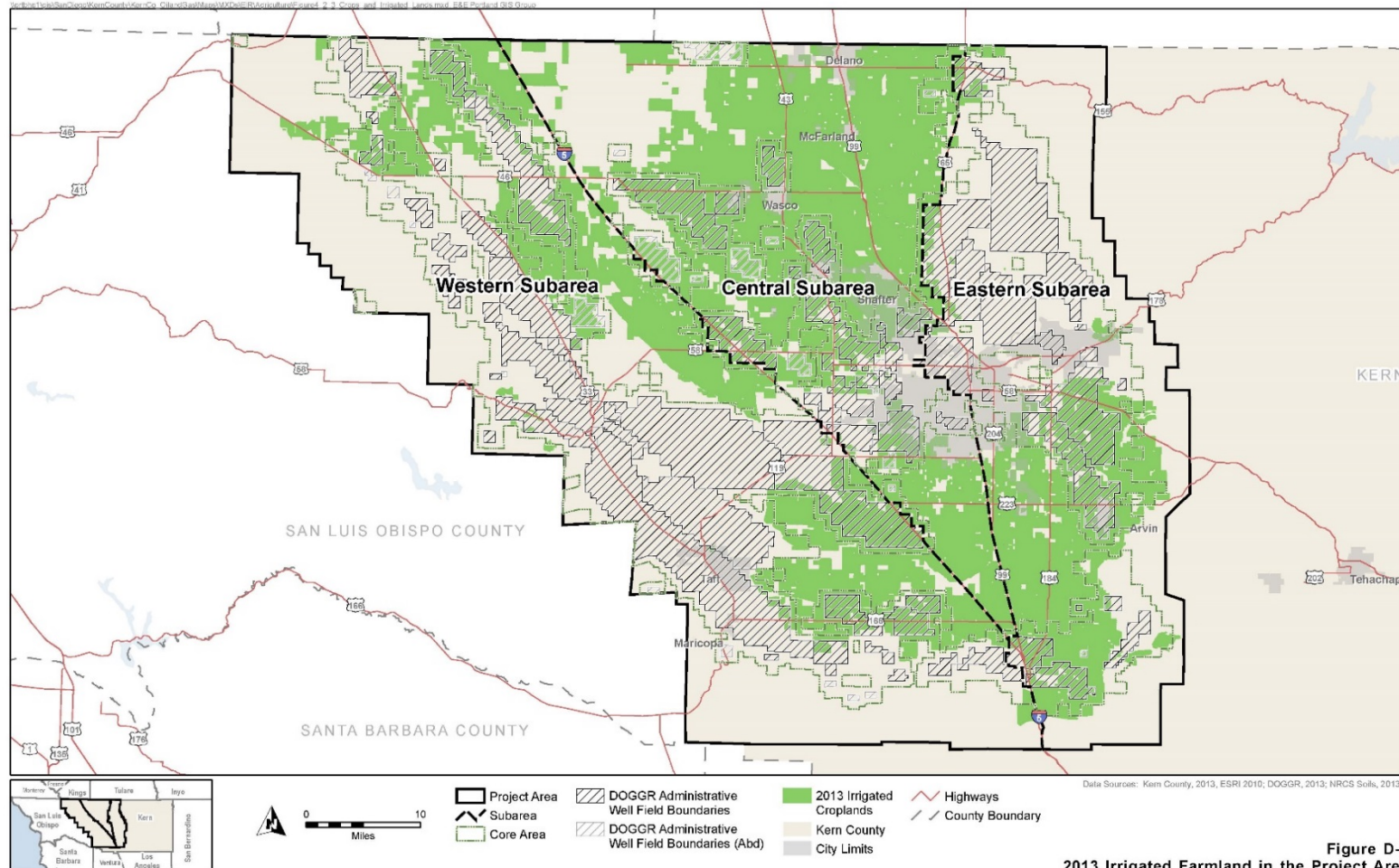


Figure D-3
2013 Irrigated Farmland in the Project Area

Agricultural Resources

Chapter 4.2

- ▶ Mitigation Measures
 - ▶ Minimize ag land disturbance (e.g., use existing roads)
 - ▶ Require Compensation of Loss of Ag Land at a Ratio of 1:1
 - ▶ Protection of Crops From:
 - ▶ Surface Water Runoff
 - ▶ Stormwater Control
 - ▶ Spill Prevention
 - ▶ Dust
- ▶ Level of Significance:
 - ▶ Project Level: Less Than Significant with Mitigation
 - ▶ Cumulative: Significant and Unavoidable

Air Quality

Chapter 4.3

- ▶ Criteria Pollutants (Tons per Year):
 - ▶ ROG - 11,551 (2016) to 14,300 (2035)
 - ▶ NO_x - 22,281 (2016) to 16,658 (2035)
 - ▶ PM¹⁰ - 2,747 (2016) to 3,358 (2035)
- ▶ Criteria Pollutants (Tons per Well, Max 3647 Wells/per Year): 3.22 (2016) to 2.12 (2035)

Air Quality

Chapter 4.3

- ▶ Mitigation Measures
 - ▶ Reduction in criteria pollutants through:
 - ▶ Dust minimization measures
 - ▶ Payment of fees or completion of applicant initiated programs, both through an Emission Reduction Agreement (ERA)

- ▶ Level of Significance:
 - ▶ Project Level: Less Than Significant with Mitigation, Significant and Unavoidable for Odors
 - ▶ Cumulative: Significant and Unavoidable

Green House Gas Emissions

Chapter 4.7

- ▶ Project Annual GHG Emissions (CO_{2e}/Year): 25.96 Million Metric Tons
- ▶ Methane emissions will be limited by new CARB Rules expected to be adopted by end of 2015
- ▶ Project Annual GHG Emissions (Tons per Well): 6500
- ▶ Covered Emissions of 25,000 MT or more of CO_{2e} per data year are covered under the Cap-and-Trade Program

Green House Gas Emissions

Chapter 4.7

- ▶ Mitigation Measures
 - ▶ Oil and Gas Facilities not exceeding may voluntarily opt-in to Cap-and-Trade
 - ▶ Reduction in criteria pollutants through payment of fees or completion of applicant initiated programs, both through an Emission Reduction Agreement (ERA)

- ▶ No Net-Increase of GHG Emissions (e.g., through ERA) for emissions not subject to Cap-and-Trade)

- ▶ Level of Significance:
 - ▶ Project Level: Less Than Significant with Mitigation, Significant and Unavoidable for Conflicts with GHG policies
 - ▶ Cumulative: Significant and Unavoidable

Health and Safety

Chapters 4.7, 4.8, 4.12, 4.14

- ▶ Management and Mitigation
- ▶ Pipelines
 - ▶ Identify All Proposed and Existing Pipelines
 - ▶ Provide Integrity Testing and future monitoring for Lines within 200 Feet of A Sensitive Receptor
- ▶ Well Stimulation
 - ▶ Comply with all New State Regulations (SB4)

Health and Safety

Chapters 4.7, 4.8, 4.12, 4.14

- ▶ Noise
 - ▶ Identify all Sensitive Receptors (Residences, Schools, Churches, Hospitals, etc.) within 3,000 feet of Drilling pad

- ▶ Well Placement a minimum of 190 Feet from Sensitive Receptors
 - ▶ Provide Noise Analysis for Deeper Drilling Activity

Health and Safety

Chapters 4.7, 4.8, 4.12, 4.14

- ▶ Health Risk Assessment
 - ▶ Identify all Sensitive Receptors within 3,000 feet of Drilling
 - ▶ Well Placement a minimum of 367 Feet from Sensitive Receptors for Wells over 10,000 Deep

- ▶ Fire
 - ▶ First 2000 wells drilled for industrial firefighting vehicle (not to exceed \$850,000)

Health and Safety

Chapters 4.7, 4.8, 4.12, 4.14

- ▶ Sheriff
 - ▶ Per well for funding for County Sheriff's Department for the Rural Crimes Unit
- ▶ Transportation and Traffic
 - ▶ Payment per well for roads maintenance of roads utilized by the oil and gas industry
- ▶ Level of Significance:
 - ▶ Project Level: Less Than Significant with Mitigation
 - ▶ Cumulative: Less Than Significant with Mitigation

Estimated Permitting Costs Per Well

- ▶ County Permit Fees \$1190
 - ▶ Sheriff Mitigation \$425
 - ▶ Fire equipment \$150 (2- 3 years only)
 - ▶ Traffic \$1500
- \$3265 per well

Variable:

Air - Emissions reductions - \$16,459 to \$8,000 to ??

Biology - \$3200 to \$1200 to ?? a newly disturbed acre

Loss of Ag Land - \$2500 to \$1200 an acre

Water

Chapters 4.9, 4.17

- ▶ Cumulative Over Draft in a Single-Dry Year:
 - ▶ 750,710 AF (2015) to 817,127 AF (2035)
- ▶ Project M&I Water Demand (per Year)
 - ▶ 9,660 AF (2015) to 11,760 AF (2035)
- ▶ Produced Water Generated (per Year)
 - ▶ 125,877 AF (2012)
- ▶ Water Used for Well Stimulation: 589 AF
- ▶ Total Well Stimulations from 2011-2014: 1986

Water

Chapters 4.9, 4.17

- ▶ Mitigation Measures
 - ▶ Prepare drainage Plans for Potential Run-off
 - ▶ Injection Activities subject to Underground Injection Control
 - ▶ Oil and Gas Applicants to increase re-use of Produced Water with appropriate treatment and monitoring
 - ▶ Coordination/Participation with County on formation Groundwater Sustainability Agency and Plan

- ▶ Level of Significance:
 - ▶ Project Level: Significant and Unavoidable
 - ▶ Cumulative: Significant and Unavoidable

Biological Resources

Chapter 4.4

- ▶ Estimated New Disturbance (Acres/Year): 4,856

- ▶ Mitigation
 - ▶ Reduction in potential take of a protected species through:
 - ▶ Worker Education
 - ▶ Avoidance and Minimization
 - ▶ Preconstruction surveys
 - ▶ Habitat compensation at a ratio of ½:1 to 1:1

Biological Resources

Chapter 4.4

▶ Tools

- ▶ Valley floor HCP and Potential NCCP - In progress
- ▶ DataBasin - Website displays resource information along with other special data within the Project Area. Website is a science-based mapping and analysis platform that supports learning, research, and sustainable environmental stewardship (www.databasin.org)

▶ Level of Significance:

- ▶ Project Level: Less Than Significant with Mitigation
- ▶ Cumulative: Significant and Unavoidable

Cultural Resources

Chapter 4.5

- ▶ Estimated archeological density of one site per 53 Acres within Project Area
- ▶ Native American archeological density of one site per 463 Acres within Project Area
- ▶ Mitigation
 - ▶ Reduction in destruction of potentially significant cultural remains or artifacts through:
 - ▶ Worker education
 - ▶ Preconstruction surveys
- ▶ Level of Significance:
 - ▶ Project Level: Less Than Significant with Mitigation
 - ▶ Cumulative: Significant and Unavoidable

Alternatives

Chapter 6.0

- ▶ **Alternatives Eliminated from Further Consideration**
- ▶ Eight were eliminated from further consideration found to be infeasible or failed to meet project objectives. Include:
 - ▶ Drilling Ban on Agriculturally Productive Land
 - ▶ Drilling Ban on All Lands
 - ▶ Larger Project Area
 - ▶ More Well within Project Footprint
 - ▶ Fewer Wells within the Project Footprint
 - ▶ Offsite, Renewable Energy (Wind and Solar)
 - ▶ Zero Net Gain

Alternatives

Chapter 6.0

- ▶ **Alternatives Analyzed in the EIR**
 - ▶ Alternative 1: No Project Alternative
 - ▶ Alternative 2: Conditional Use Permit Required Alternative
 - ▶ Alternative 3: Reduced Ground Disturbance Alternative
 - ▶ Alternative 4: No Hydraulic Fracturing Alternative
 - ▶ Alternative 5: Low-Emission Enhanced Oil Recovery Alternative
 - ▶ Alternative 6: Recycled Water Alternative

- ▶ **Environmentally Superior Alternative**
 - ▶ Alternative 5, the Low-Emission Enhanced Oil Recovery

Findings

CEQA Sections 15091, 15093 and 15097

- ▶ Presented in Staff Reports
- ▶ 15091 - Findings of Fact
- ▶ 15093 - Statement of Overriding Considerations
- ▶ 15097 - Mitigation Monitoring and Reporting Program

Review and Public Comment

- ▶ Workshops: July 27, August 10 - Shafter, August 17 - Taft
- ▶ All Comments Accepted in Record Until Final Decision
- ▶ Planning Commission - Oct 5, 2015 (5:00 pm)
- ▶ Board of Supervisors - End of Year

Contacts

- ▶ Draft EIR available on Planning Website:
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- ▶ <http://pcd.kerndsa.com/planning/environmental-documents/421-oil-gas-deir>

- ▶ Send Comments to:
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 - ▶ (661) 862-8607