



# County of Fresno

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

September 17, 2019

State Clearinghouse  
Office of Planning and Research  
Attn: Sheila Brown  
1400 Tenth Street, Room 212  
Sacramento, CA 95814

Dear Ms. Brown:

Subject: State Clearinghouse Review of Proposed Mitigated Negative Declaration for Initial Study Application No. 7649 (The Termo Company)

Enclosed Please find the following documents:

1. Notice of Completion/Reviewing Agencies Checklist
2. Notice of Intent to Adopt a Mitigated Negative Declaration
3. Fifteen (15) hard copies of Draft Initial Study, Draft Mitigated Negative Declaration (MND), and Project Routing
4. One (1) electronic copy of the Draft Initial Study, Draft Mitigated Negative Declaration (MND), and Project Routing

We request that you distribute the documents to appropriate state agencies for review as provided for in Section 15073 of the CEQA Guidelines, and that the review be completed within the normal 30-day review period. Please transmit any document to my attention at the below listed address or to [eahmad@co.fresno.ca.us](mailto:eahmad@co.fresno.ca.us)

Sincerely,

Ejaz Ahmad, Planner  
Development Services and Capital Projects Division

EA:

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Enclosures

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Initial Study No. 7649 (The Termo Company)

Lead Agency: County of Fresno Contact Person: Ejaz Ahmad
Mailing Address: 2220 Tulare Street, Sixth Floor Phone: (559) 600-4204
City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: Five Points
Cross Streets: South side of Mount Whitney Ave, 2,620 feet west of its intersection with Lassen Ave. Zip Code:
Longitude/Latitude (degrees, minutes and seconds): Total Acres: 160
Assessor's Parcel No.: 050-130-75S Section: 27 Twp.: 17S Range: 17E Base: Mt. Diablo
Within 2 Miles: State Hwy #: - 145 & 269 Waterways:
Airports: - Railways: - Schools: -

Document Type:

- CEQA: [ ] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [ ] Supplement/Subsequent EIR [ ] EA [ ] Final Document
[ ] Neg Dec (Prior SCH No.) [ ] Draft EIS [ ] Other:
[X] Mit Neg Dec Other:

Local Action Type:

- [ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [X] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ ] Other:

Development Type:

- [ ] Residential: Units Acres
[ ] Office: Sq.ft. Acres Employees Transportation: Type
[ ] Commercial: Sq.ft. Acres Employees Mining: Mineral
[ ] Industrial: Sq.ft. Acres Employees Power: Type MW
[ ] Educational: Waste Treatment: Type MGD
[ ] Recreational: Hazardous Waste: Type
[ ] Water Facilities: Type MGD [X] Other: Exploratory petroleum oil and natural gas wells

Project Issues Discussed in Document:

- [X] Aesthetic/Visual [ ] Fiscal [X] Recreation/Parks [X] Vegetation
[X] Agricultural Land [X] Flood Plain/Flooding [X] Schools/Universities [X] Water Quality
[X] Air Quality [X] Forest Land/Fire Hazard [ ] Septic Systems [X] Water Supply/Groundwater
[X] Archeological/Historical [X] Geologic/Seismic [X] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[ ] Coastal Zone [X] Noise [X] Solid Waste [X] Land Use
[X] Drainage/Absorption [X] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[ ] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [ ] Other:

Present Land Use/Zoning/General Plan Designation:

Farming/AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District/Agriculture

Project Description: (please use a separate page if necessary)

Allow three exploratory petroleum oil and natural gas wells with the potential for an oil production facility on a 1.79-acre (78,000 square feet) portion of a 160-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the south side of Mount Whitney Avenue, approximately 2,620 feet west of its intersection with Lassen Avenue (State Route 269) and one half-mile west of the unincorporated community of Five Points (SUP. DIST. 4) (APN 050-130-75S).

**Reviewing Agencies Checklist**

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Air Resources Board                         | <input type="checkbox"/> Office of Historic Preservation  |
| <input type="checkbox"/> Boating & Waterways, Department of                     | <input type="checkbox"/> Office of Public School Construction                                       |
| <input type="checkbox"/> California Emergency Management Agency                 | <input type="checkbox"/> Parks & Recreation, Department of  |
| <input type="checkbox"/> California Highway Patrol                              | <input type="checkbox"/> Pesticide Regulation, Department of  |
| <input checked="" type="checkbox"/> Caltrans District # <u>6</u>                | <input checked="" type="checkbox"/> Public Utilities Commission                                     |
| <input type="checkbox"/> Caltrans Division of Aeronautics                       | <input checked="" type="checkbox"/> Regional WQCB # <u>5</u>  |
| <input type="checkbox"/> Caltrans Planning                                      | <input type="checkbox"/> Resources Agency   |
| <input type="checkbox"/> Central Valley Flood Protection Board                  | <input type="checkbox"/> Resources Recycling and Recovery, Department of                            |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy                     | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.                                  |
| <input type="checkbox"/> Coastal Commission                                     | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy                        |
| <input type="checkbox"/> Colorado River Board                                   | <input type="checkbox"/> San Joaquin River Conservancy  |
| <input checked="" type="checkbox"/> Conservation, Department of                 | <input type="checkbox"/> Santa Monica Mtns. Conservancy   |
| <input type="checkbox"/> Corrections, Department of                             | <input type="checkbox"/> State Lands Commission   |
| <input type="checkbox"/> Delta Protection Commission                            | <input type="checkbox"/> SWRCB: Clean Water Grants  |
| <input type="checkbox"/> Education, Department of                               | <input type="checkbox"/> SWRCB: Water Quality   |
| <input checked="" type="checkbox"/> Energy Commission                           | <input type="checkbox"/> SWRCB: Water Rights  |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>4</u>               | <input type="checkbox"/> Tahoe Regional Planning Agency   |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of           | <input type="checkbox"/> Toxic Substances Control, Department of                                    |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of   |
| <input type="checkbox"/> General Services, Department of                        |   |
| <input checked="" type="checkbox"/> Health Services, Department of              | <input checked="" type="checkbox"/> Other: <u>US Fish &amp; Wildlife</u>                            |
| <input type="checkbox"/> Housing & Community Development                        | <input checked="" type="checkbox"/> Other: <u>San Joaquin Valley Air Pollution Control District</u> |
| <input type="checkbox"/> Native American Heritage Commission                    |   |

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**Local Public Review Period (to be filled in by lead agency)**

Starting Date September 20, 2019 Ending Date October 21, 2019

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**Lead Agency (Complete if applicable):**

Consulting Firm: <u>County of Fresno</u>	Applicant: <u>The Termo Company</u>
Address: <u>2220 Tulare Street, 6th Floor</u>	Address: <u>P. O. Box 2767</u>
City/State/Zip: <u>Fresno, CA 93721</u>	City/State/Zip: <u>Long Beach, CA 90801</u>
Contact: <u>Ejaz Ahmad, Project Planner</u>	Phone: <u>(562) 595-7401</u>
Phone: <u>(550)600-4204</u>	

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**Signature of Lead Agency Representative:**  **Date:** 09/17/2019

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

**REVIEWING AGENCIES CHECKLIST**

**KEY**  
 S = Document sent by lead agency  
 X = Document sent by SCH  
 ✓ = Suggested distribution

**Resources Agency**

- Boating & Waterways
- Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish & Wildlife
- Forestry
- Office of Historic Preservation
- Parks & Recreation
- Reclamation
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)

**Business, Transportation & Housing**

- Aeronautics
- California Highway Patrol
- CALTRANS District # 6
- Department of Transportation Planning (headquarters)
- Housing & Community Development
- Food & Agriculture

**Health & Welfare**

- Health Services, Fresno County

**State & Consumer Services**

- General Services
- OLA (Schools)

**Environmental Protection Agency**

- Air Resources Board
- APCD/AQMD
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # \_\_\_\_\_ (Fresno County)

**Youth & Adult Corrections**

- Corrections

**Independent Commissions & Offices**

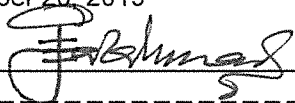
- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- California Highway Patrol
- U.S. Fish & Wildlife Service
- S. J. Valley Air Pollution Control District
- Pesticide Regulation, Dept. of

**Public Review Period** (to be filled in by lead agency)

Starting Date: September 20, 2019

Ending Date: October 21, 2019

Signature \_\_\_\_\_



Date \_\_\_\_\_

09-17-2019

**Lead Agency:** Fresno County  
 Address: 2220 Tulare Street, 6<sup>th</sup> Floor  
 City/State/Zip: Fresno, CA 93721  
 Contact: Ejaz Ahmad, Planner  
 Phone: (559) 600-4204

**Applicant:** The Termo Company  
 Address: P. O. Box 2767  
 City/State/Zip Long Beach, CA 90801  
 Phone: (562) 595-7401

**For SCH Use Only:**  
 Date Received at SCH: \_\_\_\_\_  
 Date Review Starts: \_\_\_\_\_  
 Date to Agencies: \_\_\_\_\_  
 Date to SCH: \_\_\_\_\_  
**Clearance Date:** \_\_\_\_\_  
 Notes:



E201910000333

# County of Fresno

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

## NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

FILED

SEP 18 2019

TIME  
9:29am

FRESNO COUNTY CLERK  
By *[Signature]* DEPUTY

For County Clerk's Stamp

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7649 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

**INITIAL STUDY APPLICATION NO. 7649 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3653** filed by **THE TERMO COMPANY**, proposing to allow three exploratory petroleum oil and natural gas wells with the potential for an oil production facility on a 1.79-acre (78,000 square feet) portion of a 160-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the south side of Mount Whitney Avenue, approximately 2,620 feet west of its intersection with Lassen Avenue (State Route 269) and one half-mile west of the unincorporated community of Five Points (SUP. DIST. 4) (APN 050-130-75S). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7649, and take action on Unclassified Conditional Use Permit Application No. 3653 with Findings and Conditions.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7649 and the draft Mitigated Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

The County of Fresno has determined that it is appropriate to adopt a Mitigated Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7649 and the draft Mitigated Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

### Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Mitigated Negative Declaration from September 20, 2019 through October 21, 2019.

Email written comments to [eahmad@fresnocountyca.gov](mailto:eahmad@fresnocountyca.gov) or mail comments to:

Page 1 of 2

Fresno County Department of Public Works and Planning  
Development Services and Capital Projects Division  
Attn: Ejaz Ahmad  
2220 Tulare Street, Suite A  
Fresno, CA 93721

IS Application No. 7649 and the draft Mitigated Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to 12:30 p.m. (except holidays). An electronic copy of the draft Mitigated Negative Declaration for the Proposed Project may be obtained from Ejaz Ahmad at the addresses above.

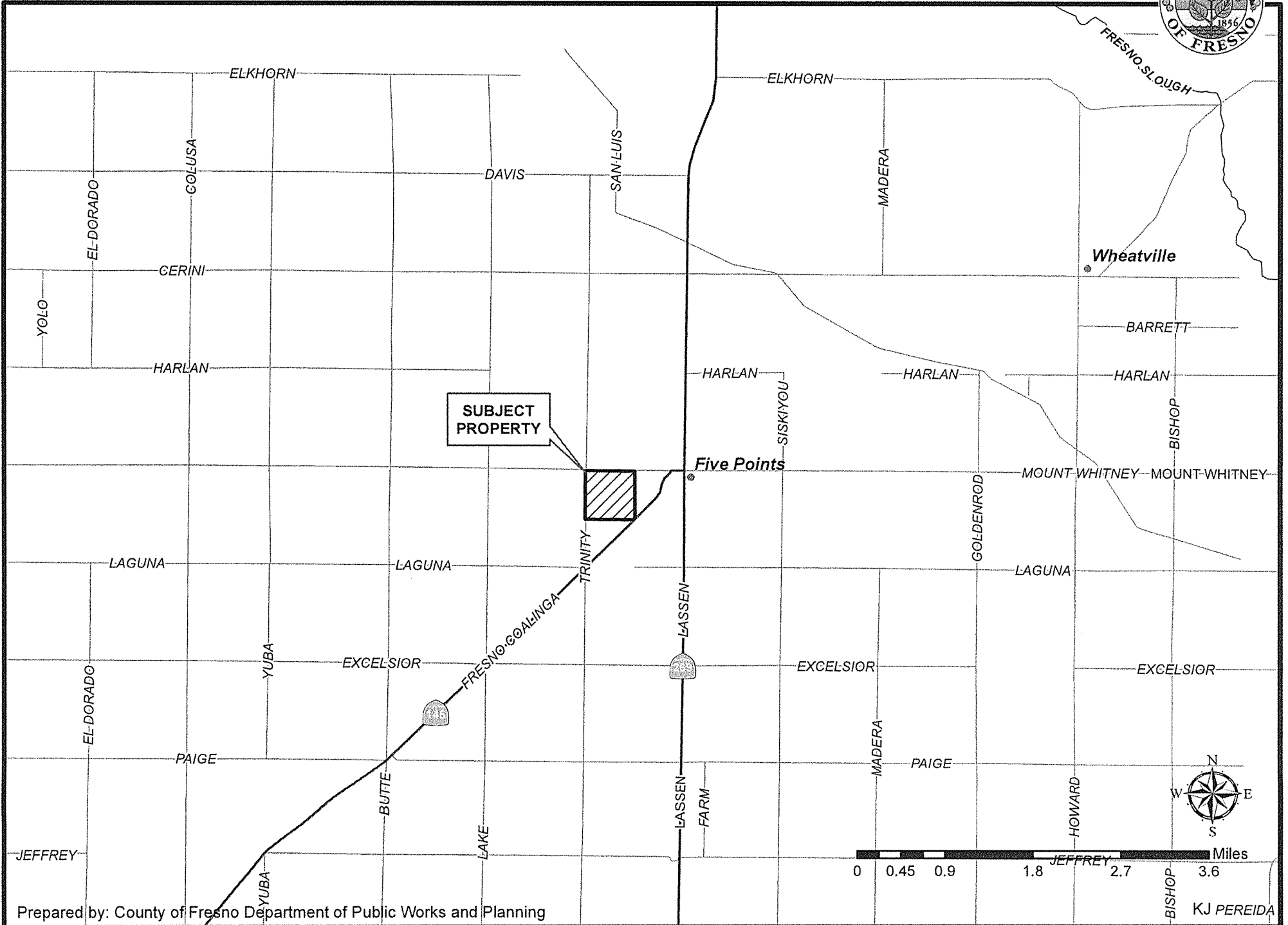
**Public Hearing**

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on October 24, 2019, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Mitigated Negative Declaration.

For questions, please call Ejaz Ahmad at (559) 600-4204.

Published: September 20, 2019

# LOCATION MAP





# County of Fresno

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

## INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**  
Initial Study Application No. 7649, Unclassified Conditional Use Permit Application No. 3653
2. **Lead agency name and address:**  
Fresno County Department of Public Works and Planning  
Development Services and Capital Projects Division  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93721-2104
3. **Contact person and phone number:**  
Ejaz Ahmad, Planner, (559) 600-4204
4. **Project location:**  
The subject parcel is located on the south side of Mount Whitney Avenue, approximately 2,620 feet west of its intersection with Lassen Avenue (State Route 269) and one half-mile west of the unincorporated community of Five Points (SUP. DIST. 4) (APN 050-130-75S).
5. **Project sponsor's name and address:**  
The Termo Company on behalf of DLM Partners  
P. O. Box 2767  
Long Beach, CA 90801
6. **General Plan designation:**  
Agriculture
7. **Zoning:**  
AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)
8. **Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**  
Allow three exploratory petroleum oil and natural gas wells with the potential for an oil production facility on a 1.79-acre (78,000 square feet) portion of a 160-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**  
The subject parcel is located in an agricultural area marked by relatively large parcel size with sparse residential development. The unincorporated community of Five Points is located approximately one half-mile east of the subject parcel. The nearest single-family residence in Five Points is approximately 3,600 feet and the other non-residential developments in the area are approximately 2,654 feet to 3,000 feet from the drill site.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**  
None.
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**



NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality

Per Assembly Bill 52 (AB52), participating Native American Tribes were provided the opportunity to review and enter consultation with the County regarding the project proposal. A response received from the Santa Rosa Rancheria Tachi Yokut Tribe expressed concerns with the project's impact on tribal cultural resources and requested that their suggested Mitigation Measures regarding Tribal Monitoring be included in the project. Although no documents or evidence were provided by the tribe that would suggest the presence of tribal cultural resources on the project site, Mitigation Measures have been included in the project to address the Tribe's concerns related to this proposal. Staff believes that with the implementation of Mitigation Measures noted in Section V, Cultural Resources and Section XVIII, Tribal Cultural Resources of this analysis, the impact to tribal cultural resources would be less than significant.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |
|---|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Biological Resources               |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Greenhouse Gas Emissions           |
| <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology/Water Quality            |
| <input type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing                 |
| <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Wildfire                           |
| <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

**PERFORMED BY:**

**REVIEWED BY:**

  
 \_\_\_\_\_  
 Ejaz Ahmad, Planner

  
 \_\_\_\_\_  
 Marianne Mollring, Senior Planner

Date: 09-17-2019

Date: 9-17-19

EA:  
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**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM  
(Initial Study Application No. 7649,  
Unclassified Conditional Use Permit Application No.  
3653)**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

- 1 = No Impact
- 2 = Less Than Significant Impact
- 3 = Less Than Significant Impact with Mitigation Incorporated
- 4 = Potentially Significant Impact

**I. AESTHETICS**

Except as provided in Public Resources Code Section 21099, would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 2 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**II. AGRICULTURAL AND FORESTRY RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 3 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 2 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

**III. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 2 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**IV. BIOLOGICAL RESOURCES**

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 b) 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 Wildlife or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) 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?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

**V. CULTURAL RESOURCES**

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 3 c) Disturb any human remains, including those interred outside of formal cemeteries?

**VI. ENERGY**

Would the project:

- 3 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?
- 3 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

## VII. GEOLOGY AND SOILS

Would the project:

- 2 a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 2 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
  - 2 ii) Strong seismic ground shaking?
  - 2 iii) Seismic-related ground failure, including liquefaction?
  - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 2 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- 2 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 2 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

## X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
  - 2 i) Result in substantial erosion or siltation on or off site;
  - 2 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;
  - 2 iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  - 2 iv) Impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

## XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 2 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

## XII. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

## XIII. NOISE

Would the project result in:

- 2 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 2 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposing people residing or working in the project area to excessive noise levels?

## XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and

businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

#### XV. PUBLIC SERVICES

Would the project:

- 1 a) Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - 1 i) Fire protection?
  - 1 ii) Police protection?
  - 1 iii) Schools?
  - 1 iv) Parks?
  - 1 v) Other public facilities?

#### XVI. RECREATION

Would the project:

- 1 a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

#### XVII. TRANSPORTATION

Would the project:

- 2 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 2 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 2 d) Result in inadequate emergency access?

#### XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 3 a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - 3 i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
  - 3 ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set

forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 1 c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 2 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 2 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

#### XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

#### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Have the potential to substantially 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, substantially 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 history or prehistory?
- 2 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- 1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Documents Referenced:**

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services and Capital Projects Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document and Final EIR  
Fresno County Zoning Ordinance  
Important Farmland 2010 Map, State Department of Conservation

EA:

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# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: The Termo Company on behalf of DLM Partners
- APPLICATION NOS.: Initial Study Application No. 7649 and Unclassified Conditional Use Permit Application No. 3653
- DESCRIPTION: Allow three exploratory petroleum oil and natural gas wells with the potential for an oil production facility on a 1.79-acre (78,000 square feet) portion of a 160-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The subject parcel is located on the south side of Mount Whitney Avenue, approximately 2,620 feet west of its intersection with Lassen Avenue (State Route 269) and one half-mile west of the unincorporated community of Five Points (SUP. DIST. 4) (APN 050-130-75S).

### I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or
- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails drilling of three exploratory petroleum oil and natural gas wells on a 1.79-acre (78,000 square feet) portion of a 160-acre parcel. Through testing, if the initial well is determined to have economic production potential, a permanent oil production facility will be established on the property. Part of this establishment involves temporary on-site storage of crude oil and transporting it off site via tanker trucks. If exploratory drilling is unsuccessful, all wells will be plugged and abandoned in

compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations.

The drilling operation will consist of the following equipment: 158-foot-tall drilling rig, catwalk, pipe baskets, pipe rack, mud pumps, fluid tank system, portable water tanks, wash tanks, fuel tanks, portable toilets, generator, doghouse, and temporary travel trailers. The production operation may be a combination of the following equipment: pumping unit, wellhead, crude oil storage tank, wash tank, water tank, electric-powered compressor, miscellaneous valves and pipelines, and an emergency flare.

The subject parcel is located in an agricultural area marked by relatively large parcel size with sparse residential development. The unincorporated community of Five Points is located approximately one half-mile east of the subject parcel. The nearest single-family residence in Five Points is approximately 3,600 feet and the other non-residential developments in the area are approximately 2,654 feet to 3,000 feet from the drill site.

The subject parcel fronts Mount Whitney and Trinity Avenues. Fresno-Coalinga Road (State Route 145) runs in a northeast and southwest direction near the drill site. None of these roadways are designated as scenic roads or highways in the County General Plan and there are no scenic vistas or scenic resources on or near the site to be impacted by this proposal. As part of the oil production operation, aboveground permanent structures will be installed/constructed. This includes a 29.3-foot-tall pumping unit and 20- to 25-foot-tall oil and water storage tanks. These low-height improvements, to be located on a small 1.79-acre portion of farmland, would not be highly visible from the surrounded large size agricultural parcels. As such, this proposal will have a less than significant impact on the visual character of the site and its surroundings.

- D. 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:

Lighting on the drilling rig mast and surrounding platform will be used to provide adequate safety lighting to the drillers.

These lights have the potential to cause adverse glare effects or affect nighttime views in the area. To minimize the effects, a Mitigation Measure would require that all lighting shall be hooded and directed down toward the base of the drilling rig and/or production area so as to not shine toward adjacent properties and on public streets. Also, the drilling tower shall be lighted and marked 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 downward so as to not shine toward adjacent properties and public streets.*



2. *All portable lighting, including lights located atop the drill rig, shall be pointed downward toward 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

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Fresno County Important Farmland Map 2014 classifies the subject parcel as Farmland of Statewide Importance. The subject proposal will remove 1.79 acres (78,000 square feet) of farmland from agricultural production. However, this loss would be less than significant in that the remaining 158.21 acres will remain in agricultural use, and a Mitigation Measure would require that upon cessation of the drilling or production phase, the 1.79 acres shall be returned to the original agricultural condition.

\* **Mitigation Measure**

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

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is enrolled in the Williamson Act (Contract No. 561) program. Per the Policy Planning Section of the Fresno County Department of Public Works and Planning review of the proposal, exploratory oil/gas wells are a compatible use on lands enrolled in the Williamson Act program.

The Fresno County Agricultural Commissioner Office reviewed the proposal and requires that the Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development. This requirement will be included as a Condition of Approval.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The subject parcel is not located in an area of forest land, nor is it zoned for Timberland Production. Approval of the proposed drilling operation and the establishment of an oil production facility on a 1.79-acre portion of a 160-acre parcel will not encourage the conversion of additional farmlands away from their intended uses.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or
- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was routed to the San Joaquin Valley Air Pollution Control District (Air District) for review and comments. Although the Air District provided no comments, a Project Note would require that the Applicant shall consult with the Air District for any Air District rules that may apply to the project.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Emissions resulting from the operation of diesel-powered generators used to power drilling equipment may produce odors. However, these activities are short term and temporary in nature. The drill site is approximately 3,600 feet from the nearest residence in Five Points, and any odors produced will be sharply diminished by the distance of travel. Impacts would be less than significant.

#### IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- B. 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 Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
- D. 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?

FINDING: NO 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. 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 CDFW or USFWS; 3) any Federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4) the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or impediment of the use of native wildlife nursery sites.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- F. 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: NO IMPACT:

The subject proposal is not in conflict with any conservation plan, or any relevant local or regional conservation policies.

## V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is not located in an area determined to be highly or moderately sensitive to archeological resources; however, the possibility of discovery remains. As such, the following Mitigation Measure has been incorporated to address cultural resources in the event that resources are identified during ground-disturbing activities.

\* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

## VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or

B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project is unlikely to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. To minimize the potential for wasteful or inefficient consumption of energy resources, a Mitigation Measure would require that during well drilling or production operations, idling of on-site vehicles and equipment shall be avoided to the most extent possible.

\* **Mitigation Measure**

1. *The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during well drilling or production operations.*

VII. GEOLOGY AND SOILS

Would the project:

A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report relating to probabilistic seismic hazards, the project site is within an area of peak horizontal ground acceleration of 20 to 40 percent. The San Andreas Fault (nearest) is over 40 miles southwest of the project site. Given the distance, any impact resulting from seismic activity would be less than significant.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not located in any identified landslide hazard area.

B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Some soil erosion or loss of top soil may result due to the site grading to accommodate the drilling pad. However, the impact would be less than significant, as any grading performed would require a County-issued grading permit or voucher.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located in an area at risk of landslides or lateral spreading per Figure 9-6 of Fresno County General Plan Background Report. In addition, as this project proposes to remove oil from the ground and does not propose excessive drain on groundwater, it will have a less than significant impact on subsidence risks.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located in an area where the soils exhibit moderately-high to high expansion potential.

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

FINDING: NO IMPACT:

The temporary nature of drilling operation (approximately 20 days) or the production facility does not require an on-site sewage disposal system or alternative wastewater disposal system. The project will use portable toilets during drilling operations.

- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section V. CULTURAL RESOURCES.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The equipment used in the site preparation phase, drilling phase, production phase, and plugging and abandoning phase will all contribute to the production of greenhouse gas emissions. The sources are trucks and dirt-moving equipment, rig motors and pumps, including trucks servicing the well. The drilling operation will last for 20 days. Given the short drilling period, any greenhouse gas impact resulting from the project would also be short term and therefore less than significant to the environment. The greenhouse gas emissions in the production phase would be at a much-reduced rate from the construction phase. The overall greenhouse emission impact on the environment would be less than significant.

Given the scope of the project, no Greenhouse Gas Emission Analysis was required.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: NO IMPACT:

The project is not expected to conflict with an applicable plan, policy or regulation adopted for reducing the emissions of greenhouse gases. No project-reviewing agency expressed any concerns.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to extract, process, and transport oil. Per the Applicant's Operational Statement, solid and liquid wastes produced during drilling operations will be stored on site, tested for hazardous criteria, and transported to a licensed waste disposal facility. Any oil field chemicals used during the production phase will be stored in containers within a spill containment system.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires that facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Also, any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. Further, all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and an Underground Storage Tank Removal Permit shall be obtained to remove any underground storage tank. These requirements will be included as Project Notes.

The project is not located within one quarter-mile of a school site. The nearest school, Westside Elementary School, is approximately 2.1 miles southwest of the project site (drill pad).

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

The project site is an active farm land planted in orchard and not a hazardous material site. The project will not create hazard to the public or environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or within two miles of a public or private use airport. Five Point Ranch Airport, located approximately 6.3 feet west of the drill site, will not affect the project in terms of airport noise or safety hazard.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT:

The Fresno County Fire Protection District and other agencies reviewed the proposal and did not express any concerns related to emergency response plans or emergency evacuation plans.

Access to the project site will be from Fresno-Coalinga Road (State Route 145) on an existing ingress and egress. Neither State Route 145 nor any other existing dirt roads in the area that provide access to the surrounding farmlands will become incapable of providing access during emergency responses due to the project.



- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

The project site is not located in an identified area of wildfire hazard.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Division of Oil, Gas, and Geothermal Resources reviewed the subject proposal and recommends that physical access to all on-site oil and gas wells be maintained and all oil and gas wells be abandoned in accordance with the current standards. In addition, no well work shall be performed without written approval from the Division of Oil, Gas, and Geothermal Resources.

According to the Fresno County Department of Public Health, Environmental Health Division, prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil. Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction, and the "oily water" removed from the well shall be handled in accordance with federal, state and local government requirements. These requirements will be included as Project Notes.

The subject proposal was also routed to the California Regional Water Quality Control Board. No concerns were expressed by that agency.

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: NO IMPACT:

Site preparation (grading and dust control) prior to drilling operation will require approximately 30,000 gallons of water, and the drilling operation itself will require 8,000 to 11,000 gallons of water per day. Water will be purchased from a private commercial supplier, trucked to the site, and stored in a temporary portable tank. Bottled water will be provided for human consumption.

The project site is not located in a water-short area and proposes no groundwater usage. The Water and Natural Resources Division of the Fresno County Department of

Public Works and Planning reviewed the proposal and expressed no concerns regarding availability or sustainability of water for the project.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
1. Result in substantial erosion or siltation on or off site; or
  2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
  3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No natural drainage channels run adjacent to or through the subject property.

The project will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface runoff with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. As noted above, a grading permit or voucher may be required for any grading proposed with this application.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

The subject parcel is not in an area at risk of inundation by seiche, tsunami, or mudflow.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

The project is not in conflict with any water quality control plan or sustainable groundwater management plan. No concerns were expressed by the Water and Natural Resources Division of the Department of Public Works and Planning, or the Regional Water Quality Control Board.

## XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

This proposal will not physically divide a community. The nearest community of Five Points is approximately one half-mile east of the subject property.

B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is designated as Agricultural in the County General Plan and is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in the County Ordinance. The Agriculture and Land Use Element of the General Plan lists oil and gas development as non-agricultural uses permitted in areas designated Agriculture. The subject proposal will not be in conflict with any land use plan, policy, or regulation of any agency with jurisdiction over the project other than the County, and will meet the following General Plan policies:

General Plan Policy OS-C.13 and Policy OS-C.17 are met in that the extraction of oil is permitted in Fresno County with approval of an Unclassified Conditional Use Permit that is being processed concurrently with this Initial Study. Upon termination of the activities related to reclamation of oil and gas development, the project site will be converted to its primary land use as designated by the General Plan. General Plan Policy OS-C.20 and Policy HS-B.1 are met in that the nearest development (Five Points) is approximately one half-mile from the drill site. Given the distance, the project poses less than significant risk for fire hazards. General Plan Policy HS-F.1 is met in that the project will adhere to federal and state requirements regarding the handling and management of hazardous materials.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

The subject parcel is not located in an area designated by Figure 7-7 of the Fresno County General Plan Background Report to be a locally-important mineral resource recovery site.

### XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would temporarily increase ambient noise in the area due to the operation of construction-related equipment and the drilling rig. Per the Applicant, a noise study conducted using the drilling rig/equipment could produce noise levels in excess of 102 dBA at a distance of 50 feet and 63.5 dBA at a distance of 1,400 feet from the site. The nearest residence in Five Points is approximately 3,600 feet east of the project site. Using the accepted attenuation algorithm of 6 dBA per doubling of distance, the noise level at the residence could be approximately 55.3 dBA. The impacts would be less than significant.

The Fresno County Department of Public Health, Environmental Health Division reviewed the subject proposal and identified no concerns related to noise.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

See discussion above in Section IX. E. HAZARDS AND HAZARDOUS MATERIALS.

### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth. Five to six temporary trailers will be used during the drilling phase of the project.

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

1. Fire protection?

FINDING: NO IMPACT:

The Fresno County Fire Protection District reviewed this proposal and expressed no concerns related to fire hazards.

2. Police protection; or

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on schools, parks or other public facilities.

#### XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

This project will have no impact on neighborhood parks or require expansion of recreational facilities.

## XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b); or
- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project involves three phases. During the pre-drilling phase, 18 one-way (9 round trips) passenger car/truck trips will be generated. During the site preparation phase, 10 one-way (5 round trips) passenger car/truck/heavy truck/semi trips will be generated. During the drilling phase, 90 one-way (45 round trips) passenger car/heavy duty truck trips will be generated. During the completion/testing and production phase, 54 one-way (27 round trips) pick-up truck/heavy truck/semi trips will be generated.

The Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and identified no concerns related to traffic. The California Department of Transportation (Caltrans) also reviewed the proposal and requires the following as Conditions of Approval: a transportation management plan (as the trip for drilling activity may impact the peak hours); an encroachment permit; repair/replacement of any damaged pavement at the site access; and cleaning of roadways from construction activities. Further, shoulder backing at the site access shall be constructed with an encroachment permit.

- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project activities will not result in blocking any roadways or traffic movement in the area or result in inadequate emergency access to the site. The site is accessible in emergencies from Mount Whitney Avenue, Trinity Avenue, and State Route 145.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of

the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

Per Assembly Bill 52 (AB52), participating Native American Tribes were provided the opportunity to review and enter consultation with the County regarding the project proposal. A response received from the Santa Rosa Rancheria Tachi Yokut Tribe expressed concerns with the project's impact on tribal cultural resources and requested that their suggested Mitigation Measures regarding Tribal Monitoring be included in the project. Although no documents or evidence were provided by the Tribe that would suggest the presence of tribal cultural resources on the project site, Mitigation Measures have been included in the project to address the Tribe's concerns related to this proposal. Staff believes that with the implementation of Mitigation Measures noted below and the Mitigation Measure noted above in Section V. CULTURAL RESOURCES in this analysis, the project will have a less than significant impact on tribal cultural resources.

\* **Mitigation Measures**

1. *See Section V. A. B. C. D. Cultural Resources Mitigation Measure.*
2. *Forty-eight (48) hours prior to any ground-disturbing activities within the Area of Potential Effect (APE), such as digging, trenching, or grading, the Applicant shall notify all tribes that participated in consultation of the opportunity to have a certified Native American Monitor inspect the site prior to and be present during all ground-disturbing activities both during construction and decommissioning. The certified Native American Monitor may provide pre-construction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found. The notification shall be by email to the following person: Shana Powers, Santa Rosa Rancheria Tachi Yokut Tribe at [spowers@tachi-yokut-nsn.gov](mailto:spowers@tachi-yokut-nsn.gov). The tribal monitors shall be independently insured in order to enter the construction zone.*

3. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted within 100 feet of the find. A qualified Archaeologist shall be called to evaluate the findings and make any necessary mitigation recommendations, including, but not limited to, excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. The County of Fresno, along with other relevant or Tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines. Any findings shall be submitted by the archaeologist in a professional report to the project Applicant, the County of Fresno and the California Historical Resources Information System, Southern San Joaquin Valley Information Center.*
4. *If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. The Commission shall identify the person believed to be the Most Likely Descendant (MLD), who shall have at least 48 hours from notification of the find to comment. The human remains and associated or unassociated funerary objects shall be treated per CEQA Guidelines Sec. 15064.5(d). If the MLD and the other parties do not agree on the reburial method, the Project shall follow PRC Section 5097.98(e).*

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

See discussion above in Section VII. E. GEOLOGY AND SOILS. Additionally, the project would not result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: NO IMPACT:



See discussion in Section X. B. HYDROLOGY AND WATER QUALITY.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: NO IMPACT:

See discussion above in Section VII. E. GEOLOGY AND SOILS.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant's Operational Statement, agricultural companies will recycle green waste resulting from removal of trees and vegetation on the property. All earthen cuttings and drilling mud will be hauled to a licensed waste disposal facility that handles non-hazardous waste. All cement waste will be managed as required by law. Waste generated from the site construction for the production phase will be managed in accordance with the Construction Waste Reduction Disposal and Recycling requirements in CCR Title 24, Part 11 (2016).

## XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

See discussion above in Section XV. A. 1. PUBLIC SERVICES.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially 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, substantially 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 history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will have no impact on biological resources. Impacts on cultural resources have been reduced to a less than significant level with the incorporation of a Mitigation Measure discussed above in Section V.A.B.C.D. CULTURAL RESOURCES. Additional mitigation measures are included in Section XVIII. TRIBAL CULTURAL RESOURCES.

- B. Have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project 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, Energy and Tribal Cultural Resources, which will be addressed with the Mitigation Measures discussed in Section I. D., Section II. A., Section V. A. B. C., Section VI. A. B. and Section XVIII. A. of this report.

- C. Have environmental effects 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 Initial Study No. 7649 prepared for Unclassified Conditional Use Permit Application No. 3653, 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 biological resources, mineral resources, population and housing, public services, recreation and utilities and service systems.

Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and noise have been determined to be less than significant.

Potential impacts relating to aesthetics, agricultural and forestry resources, cultural resources, energy and transportation 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 southwest corner of Tulare and "M" Street, Fresno, California.

EA:ksn

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File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7649	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): The Termo Comapny	Project Title: Unclassified Conditional Use Permit Application No. 3653		
Project Description: Allow three exploratory petroleum oil and natural gas wells with the potential for an oil production facility on a 1.79-acre (78,000 square feet) portion of a 160-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the south side of Mount Whitney Avenue, approximately 2,620 feet west of its intersection with Lassen Avenue (State Route 269) and one half-mile west of the unincorporated community of Five Points (SUP. DIST. 4) (APN 050-130-75S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7649) prepared for Unclassified Conditional Use Permit Application No. 3653, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to biological resources, mineral resources, population and housing, public services, recreation and utilities and service systems.  Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and noise have been determined to be less than significant.  Potential impacts related to aesthetics, agricultural and forestry resources, cultural resources, energy and transportation have been determined to be less than significant with the included Mitigation Measures.  The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 20, 2019		Review Date Deadline: Planning Commission – October 24, 2019	
Date: September 17, 2019	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7649  
Unclassified Conditional Use Permit Application No. 3653**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	On-going; for duration of the project
*2.	Aesthetics	All portable lighting, including lights located atop the drill rig, shall be pointed downward toward the base of the rig to minimize potential glare	Applicant	Applicant/PW&P	On-going; for duration of the project
*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; for duration of the project
*4.	Agricultural and Forestry Resources	When drilling operations are complete, the Applicant shall return the project site (as much as practical) to its original condition and all drilling equipment shall be removed within 90 days of termination of the drilling operations.	Applicant	Applicant/PW&P	As noted
*5.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted

*6.	Energy	The idling of onsite vehicles and equipment will be avoided to the most possible extent to avoid wasteful or inefficient energy consumption during well drilling or production operations.	Applicant	Applicant/PW&P	As noted
*7.	Tribal Cultural Resources	Forty-eight (48) hours prior to any ground-disturbing activities within the Area of Potential Effect (APE), such as digging, trenching, or grading, the Applicant shall notify all tribes that participated in consultation of the opportunity to have a certified Native American Monitor inspect the site prior to and be present during all ground-disturbing activities both during construction and decommissioning. The certified Native American Monitor may provide pre-construction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found. The notification shall be by email to the following person: Shana Powers, Santa Rosa Rancheria Tachi Yokut Tribe, at spowers@tachi-yokut-nsn.gov. The tribal monitors shall be independently insured in order to enter the construction zone.	Applicant	Applicant/PW&P	As noted
*8.	Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted within 100 feet of the find. A qualified Archaeologist shall be called to evaluate the findings and make any necessary mitigation recommendations, including but not limited to, excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. The County of Fresno, along with other relevant or Tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines. Any findings shall be submitted by the archaeologist in a professional report to the project applicant, the County of Fresno and the California Historical Resources Information System, Southern San Joaquin Valley Information Center.	Applicant	Applicant/PW&P	As noted

*9.	Tribal Cultural Resources	If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. The Commission shall identify the person believed to be the Most Likely Descendant (MLD), who shall have at least 48 hours from notification of the find to comment. The human remains and associated or unassociated funerary objects shall be treated per CEQA Guidelines Sec. 15064.5(d). If the MLD and the other parties do not agree on the reburial method, the Project shall follow PRC Section 5097.98(e).	Applicant	Applicant/PW&P	As noted
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\*MITIGATION MEASURE -- Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.

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# County of Fresno

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

DATE: June 27, 2019

TO: Development Services and Capital Projects, Attn: William M. Kettler, Division Manager  
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner  
Development Services and Capital Projects, Current Planning, Attn: Marianne Mollring, Senior Planner  
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner  
Development Services and Capital Projects, Zoning & Permit Review, Attn: Tawanda Mtunga, Senior Planner  
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna  
Development Services and Capital Projects, Building & Safety/Plan Check, Attn: Chuck Jonas  
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping  
Road Maintenance and Operations, Attn: John R. Thompson/Nadia Lopez  
Design Division, Transportation Planning, Attn: Brian Spaunhurst  
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager  
Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/Steven Rhodes  
Agricultural Commissioner, Attn: Fred Rinder  
U.S. Fish and Wildlife Service, Attn: Sarah Yates  
CA Regional Water Quality Control Board, Attn: [centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov)  
CA Department of Fish and Wildlife, Attn: [R4CEQA@wildlife.ca.gov](mailto:R4CEQA@wildlife.ca.gov)  
CA Division of Oil & Gas, Attn: Rohit Sharma/Grant Obenshain  
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo  
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst  
Picayune Rancheria of the Chuckchansi Indians, Attn: Tara C. Estes-Harter, THPO/Cultural Resources Director  
Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman/Hector Franco, Director/Shana Powers, Cultural Specialist II  
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director/Kim Taylor, Cultural Resources Department/Sara Barnett, Cultural Resources Department  
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor  
California Department of Transportation (CALTRANS), Attn: Dave Padilla  
Westlands Water District, Attn: Russ Freeman  
NAS Lemoore, Attn: John Dirickson, CPLO; David S. Hulse, CPLO  
County Fire Protection District, Attn: Jim McDougald, Division Chief



FROM: Ejaz Ahmad, Planner   
Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7649 and Unclassified Conditional Use Permit Application  
No. 3653

APPLICANT: The Termo Company

DUE DATE: July 11, 2019

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow drilling of an exploratory oil and gas wells and related oil production facility in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

Note: Gas production facility is not part of this application. Transport of gas via pipelines from the project site to an outside point of sale will require a separate land use entitlement.

The Department is also reviewing for environmental effects, as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

We must have your comments by **July 11, 2019**. Any comments received after this date may not be used.

**NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).**

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Ejaz Ahmad, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4204, or email [eahmad@fresnocountyca.gov](mailto:eahmad@fresnocountyca.gov)

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*Activity Code (Internal Review): 2381*

Enclosures

App. Received 06/17/19

CUP 3653  
(Application No.)



### Fresno County Department of Public Works and Planning

#### MAILING ADDRESS:

Department of Public Works and Planning  
Development Services Division  
2220 Tulare St., 6<sup>th</sup> Floor  
Fresno, Ca. 93721

#### LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A  
Street Level  
Fresno Phone: (559) 600-4497  
Toll Free: 1-800-742-1011 Ext. 0-4497

#### APPLICATION FOR:

- Pre-Application (Type) \_\_\_\_\_
- Amendment Application  Director Review and Approval
- Amendment to Text  for 2<sup>nd</sup> Residence
- Conditional Use Permit  Determination of Merger
- Variance (Class )/Minor Variance  Agreements
- Site Plan Review/Occupancy Permit  ALCC/RLCC
- No Shoot/Dog Leash Law Boundary  Other \_\_\_\_\_
- General Plan Amendment/Specific Plan/SP Amendment)
- Time Extension for \_\_\_\_\_

#### DESCRIPTION OF PROPOSED USE OR REQUEST:

CUP for drilling an exploratory oil and gas well and subsequent production facilities if successful.

CEQA DOCUMENTATION:  Initial Study  PER  N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. **Attach Copy of Deed, including Legal Description.**

LOCATION OF PROPERTY: West side of Highway 145  
between Mt. Whitney Avenue and W. Laguna Avenue  
Street address: N/A

APN: 050-130-755 Parcel size: 156.22 acres Section(s)-Twp/Rg: S 27 - T 17 S/R 17 E

#### ADDITIONAL APN(s):

I, Wendy Berts (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

DLM Partners	3265 W. Figarden Drive, Fresno, CA 937	559-448-8000
Owner (Print or Type)	Address City Zip	Phone
The Termo Company	P O Box 2767, Long Beach, CA 90801	562-595-7401
Applicant (Print or Type)	Address City Zip	Phone
Neil F. Ormond	312 5 <sup>th</sup> St. Ste A, Clovis, CA 93612	559-298-5068
Representative (Print or Type)	Address City Zip	Phone

CONTACT EMAIL: neil.plm@me.com

#### OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.:	<u>CUP(U) 3653</u>	Fee: \$ <u>9,123.<sup>00</sup></u>
Application Type / No.:		Fee: \$
Application Type / No.:	<u>Pre-app Credit</u>	Fee: \$ <u>-247.<sup>00</sup></u>
Application Type / No.:		Fee: \$
PER/Initial Study No.:	<u>IS</u>	Fee: \$ <u>5,151.<sup>00</sup></u>
Ag Department Review:	<u>7649</u>	Fee: \$ <u>93.<sup>00</sup></u>
Health Department Review:		Fee: \$ <u>992.<sup>00</sup></u>
Received By: <u>EJA</u>	Invoice No.:	TOTAL: \$ <u>15,112.<sup>00</sup></u>

#### UTILITIES AVAILABLE:

WATER: Yes  / No   
Agency: \_\_\_\_\_  
SEWER: Yes  / No   
Agency: \_\_\_\_\_

#### STAFF DETERMINATION: This permit is sought under Ordinance Section:

Related Application(s): \_\_\_\_\_  
Zone District: AE-20  
Parcel Size: 156.2

Sect-Twp/Rg: \_\_\_\_\_ - T \_\_\_\_\_ S/R \_\_\_\_\_ E  
APN # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
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Development Services  
and  
Capital Projects  
Division

Mail To:  
NIEL ORMOND  
312 5th St. STE. A  
Clovis, CA 93612  
Email To:  
Neil.plm@me.com

# Pre-Application Review

Department of Public Works and Planning

NUMBER: 39681  
APPLICANT: NEIL ORMOND  
PHONE: (559) 298-5068

PROPERTY LOCATION: Parcel ID 050-130-75S  
APN: 050 - 130 - 75S ALCC: No Yes 561 VIOLATION NO. N/A  
CNEL: No X Yes (level) LOW WATER: No X Yes WITHIN 1/2 MILE OF CITY: No X Yes  
ZONE DISTRICT: AE-20; SRA: No X Yes HOMESITE DECLARATION REQ'D.: No X Yes  
LOT STATUS:

Zoning: (X) Conforms; ( ) Legal Non-Conforming lot; ( ) Deed Review Req'd (see Form #236)  
Merger: May be subject to merger: No X Yes ZM# Initiated In process  
Map Act: ( ) Lot of Rec. Map; ( ) On '72 rolls; (X) Other TPM/W-87-14; ( ) Deeds Req'd (see Form #236)

SCHOOL FEES: No Yes X DISTRICT: Riverdale Unified PERMIT JACKET: No X Yes FMFCD FEE AREA: (X) Outside ( ) District No.: FLOOD PRONE: No Yes A

PROPOSAL: CONDITIONAL USE PERMIT TO ALLOW OIL EXPLORATION & PRODUCTION ON A 156.22 ACRE LOT WITHIN THE AE-20 ZONE DISTRICT & OUTSIDE OF AN ESTABLISHED OIL & GAS FIELD DEVELOPMENT ZONE.

COMMENTS: The Parcel is subject to a Williamson Act Contract and Clearance from Policy Planning is required.

ORD. SECTION(S): 857-C BY: O. Ramirez DATE: 03/21/2019  
853-B-11

**GENERAL PLAN POLICIES:**

LAND USE DESIGNATION: AGRICULTURE ( ) GPA: \_\_\_\_\_  
COMMUNITY PLAN: - ( ) AA: \_\_\_\_\_  
REGIONAL PLAN: - ( ) CUP: \$9,123.00  
SPECIFIC PLAN: - ( ) DRA: \_\_\_\_\_  
SPECIAL POLICIES: - ( ) VA: \_\_\_\_\_  
SPHERE OF INFLUENCE: - ( ) AT: \_\_\_\_\_  
ANNEX REFERRAL (LU-G17/MOU): - ( ) JT: \_\_\_\_\_

**PROCEDURES AND FEES:**

( ) MINOR VA: \_\_\_\_\_  
(✓) HD: \$992.00  
(✓) AG COMM: \$93.00  
( ) ALCC: \_\_\_\_\_  
(✓) IS/PER\*: \$5,151.00  
( ) Viol. (35%): \_\_\_\_\_  
( ) Other: \_\_\_\_\_  
Filing Fee: \$ 15,359.00  
Pre-Application Fee: -\$247.00  
Total County Filing Fee: \$15,112.00

COMMENTS: -

**FILING REQUIREMENTS:**

- (✓) Land Use Applications and Fees
- (✓) This Pre-Application Review form
- (✓) Copy of Deed / Legal Description
- (✓) Photographs
- ( ) Letter Verifying Deed Review
- (✓) IS Application and Fees\* \* Upon review of project materials, an Initial Study (IS) with fees may be required.
- (✓) Site Plans - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- (✓) Floor Plan & Elevations - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- (✓) Project Description / Operational Statement (Typed)
- ( ) Statement of Variance Findings
- ( ) Statement of Intended Use (ALCC)
- ( ) Dependency Relationship Statement
- ( ) Resolution/Letter of Release from City of \_\_\_\_\_

**OTHER FILING FEES:**

- ( ) Archaeological Inventory Fee: \$75 at time of filing (Separate check to Southern San Joaquin Valley Info. Center)
- (✓) CA Dept. of Fish & Wildlife (CDFW): (\$50) (\$50+\$2,354.75) (Separate check to Fresno County Clerk for pass-thru to CDFW. Must be paid prior to IS closure and prior to setting hearing date.)

BY: Ejaz Ahmad REFERRAL LETTER # \_\_\_\_\_  
PHONE NUMBER: (559) 600-4204 DATE: 04/30/19

**NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:**

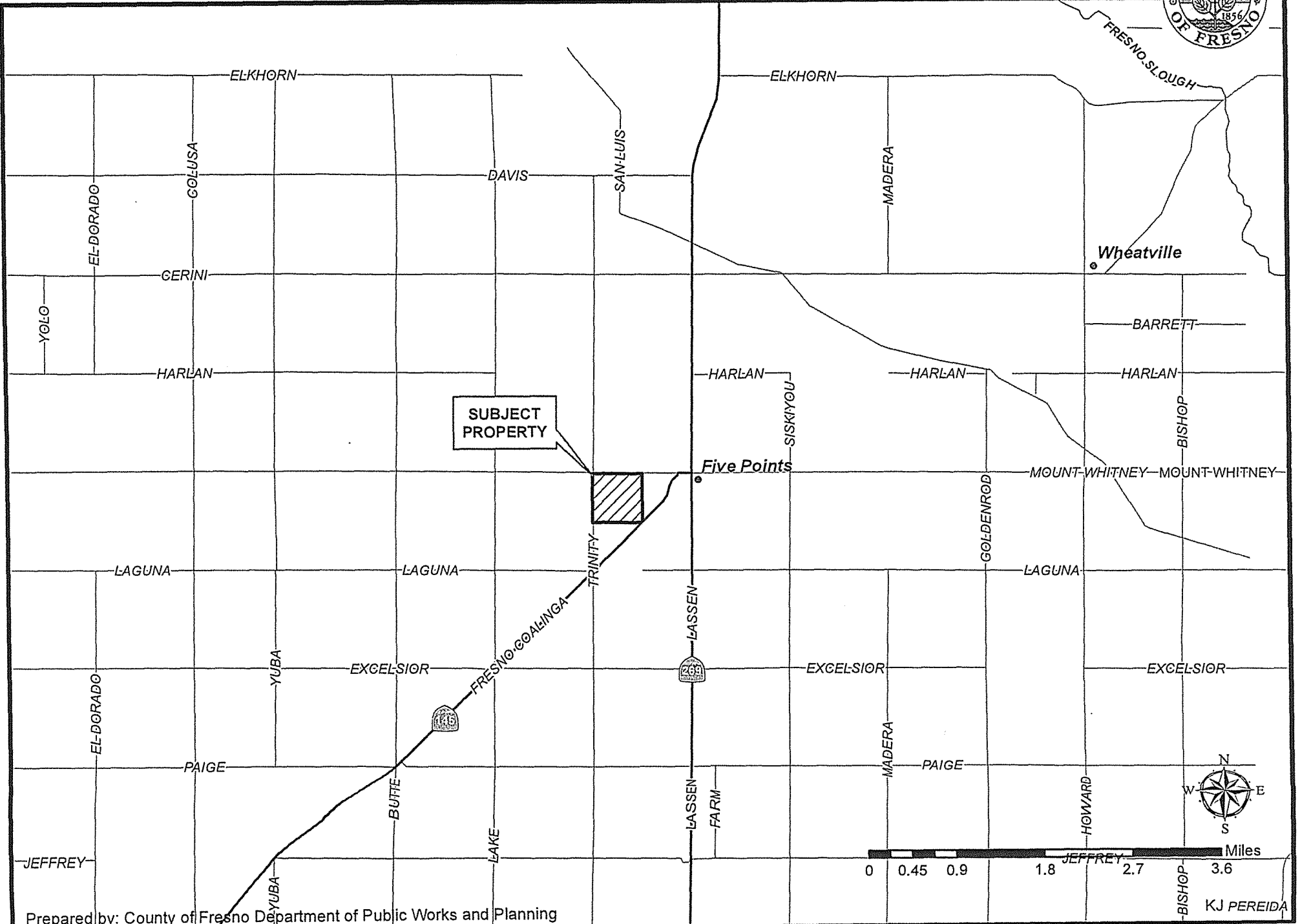
- ( ) COVENANT
- ( ) MAP CERTIFICATE
- ( ) PARCEL MAP
- ( ) FINAL MAP
- ( ) FMFCD FEES
- ( ) ALUC or ALCC
- ( ) SITE PLAN REVIEW
- (✓) BUILDING PLANS
- (✓) BUILDING PERMITS
- ( ) WASTE FACILITIES PERMIT
- (✓) SCHOOL FEES
- ( ) OTHER (see reverse side)

PLU # 113 Fee: \$247.00

Note: This fee will apply to the application fee if the application is submitted within six (6) months of the date on this receipt.

OVER.....

# LOCATION MAP





# Operational Statement

Pre-Application Review No. 39681

CUP 3653  
RECEIVED  
COUNTY OF FRESNO  
JUN 26 2019  
(REVISED)

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

## 1. Project Description.

The Termo Company (“Termo” or “Applicant”) is proposing the construction of a new earthen well pad of up to 81,000 square feet (1.85 acres) and the drilling of up to three (3) exploratory oil and gas wells from that well pad. The first exploratory well is the Mt. Whitney #1-27 (test well), which will be drilled to a depth not to exceed 9,500 feet TVD. This Project description addresses the various steps to drilling the test well and the subsequent activity if the well is successful.

The proposed Project includes the following phases which will be completed during 2019 and early 2020: site preparation, drilling, testing; and, if deemed productive, completion, installation of production equipment, and production phase. Plugging and abandonment will take place if the initial well is found to be unproductive prior to completion or during testing. The estimated life of a successful well is 30 years.

Applicant plans to develop the site in phases. The Project and initial ground disturbance (Site Preparation Phase) is designed to disturb only the area of the site necessary to drill the first exploratory well (Drilling Phase). If this first exploratory well is successful, after the Completion and Testing Phase the Applicant will move to Production Phase which will require additional (but not the complete site) surface disturbance for the construction of the production facility.

Prior to any ground disturbing activities, Termo will conduct various tasks including on site meetings with the property owners, well and site surveying and staking, and general site assessment.

### *Site Preparation Phase*

During site preparation activities the proposed Project site will be graded, watered and compacted to establish a level and solid foundation for the drilling rig. Grading activity and topsoil stabilization will be consistent with SJVAPCD Rule 8021. If possible, topsoil will be covered and stockpiled on site for later reuse as part of the site restoration.

### *Drilling Phase*

The Drilling Phase for the proposed Project will last a total of approximately twenty-four (24) days. The drilling phase will consist of two days for mobilization and demobilization of the drilling rig and 20 days for drilling and various tasks associated with the drilling phase including installation of blowout prevention equipment, cementing, mud-logging, etc. During the two to four days when various other drilling related tasks take place the drill rig motors will be idle or not running.

The Project will use either a “triple” drilling rig 86 feet in total height or an “extended double” drilling rig 146 feet in total height (dependent on availability) and the drilling rig will be registered in the California Portable Emission Registration Program (PERP). Temporary facilities, equipment and materials necessary for the drilling operation will be set up and stored on site (i.e., drilling mud supplies, water, drilling materials and casing, crew support trailers, pumps and piping, portable generators, fuels and lubricants, etc.).

### *Completion and Testing Phase*

Once target depth is reached, the well will be tested and evaluated to determine whether it will be put on production or plugged and abandoned. Initially, a production rig would be moved on site to prepare the well for production testing and completion. The completion rig would operate 10 hours per day for

approximately ten days. During this period the wellbore will be cleaned and perforated for well bore production testing. Approximately six personnel will be on site when the completion rig is operating.

#### *Production Phase*

If the initial well is determined to have economic production potential, the Applicant will submit and complete the building permit requirements and production equipment including a well head, pumping unit with engine, and a separator will be installed on the proposed Project site. A new above ground storage tank facility will be built at the site to accommodate the crude oil and waste water. A natural gas line will be constructed from the compressor site to the northwest outer edge of the drill pad site terminating in a flare. Said flare will be approved by the San Joaquin Air Pollution Control District. Facility construction will be permitted with Fresno County Department of Public Works, Development Services and will comply with all applicable California Building Codes.

#### *Greenhouse Gas Emissions*

The equipment used in Site Preparation Phase, Drilling Phase, Production Phase and Plugging and Abandoning Phase will all contribute to the production of greenhouse gas emissions. The sources are trucks and dirt moving equipment in the Site Preparation Phase. During the Drilling Phase, the drilling rig motors and pumps plus trucks servicing the well will cause greenhouse gas emissions. The Production Phase will also emit greenhouse gases but will be dependent on the length of time the well produces to determine quantifiable measures. At the end of the well's life the Plugging and Abandoning Phase will also cause greenhouse gas emissions but at a much-reduced rate. The tons per year for each phase have been calculated and are demonstrated here as attachments Table 1 and Table 1a, attached hereto.

#### *Plugging and Abandonment Phase*

If the exploratory well is deemed unable to become a producing well, or once the well stops producing, it will be plugged and abandoned in accordance with California Code of Regulations, Chapter 4, Subchapter 1, Sections 1723–1723.7.

During a typical well abandonment, recoverable casing would be salvaged from the well and the hole would be plugged with cement. The wellhead (and any other equipment) would be removed, the casing cut off 6 feet below ground surface, capped with a welded plate and the cellar backfilled. This process would be completed in 8 days. The land contours of the site will be re-established to near grade conditions as present at the time of Project initiation. After all equipment is removed, the site will be restored to its condition and use (agricultural) prior to construction of the well pad.

## **2. Operational Time Limits:**

The construction of the earthen drilling pad will take approximately 5 days and work will be during daylight hours. The Drilling Phase of the Project will be 24 hours per day, seven days a week for an anticipated period of 25 days per well. The completion phase of the well will take approximately 10 days and work will be during daylight hours. The construction phase of the production facility will take approximately 45 to 60 days, with work occurring Monday – Saturday during daylight hours.

If production is established, then one person will visit the well twice daily with a time limit between 30 minutes and one hour. Additionally, and dependent on production, a tanker truck will enter the site to haul away produced oil and/or waste water on a twice weekly basis. These visits will last up to two hours each.

**3. Number of customers or visitors:**

This is not a commercial enterprise and is not open to customers. Visitors may include Agency staff, consultants, or other technical specialists and would expect to average 3 to 5 visitors per week.

**4. Number of employees:**

Between 7 and 15 personnel will be on site at any given time during drilling and testing operations. They will be working 24 hours, 7 days a week during the drilling and testing phase. If production is obtained, then one or two people will visit the site per day. No one will live on the site.

**5. Services and delivery vehicles:**

The Drilling Phase of the Project will require approximately 30 to 35 truck trips to mobilize the drilling rig and associated equipment to the drill site.

An additional 10 to 20 trucks will be required to transport supplies and service contractor equipment to the site.

Approximately 5 to 8 truck trips per day will be required to support drilling operations.

Please see additional Transportation details and estimated daily traffic volumes in #19 of the Environmental Information checklist.

**6. Access to the site:**

Access to the site will be from the Fresno-Coalinga Road (Highway 145) on an existing ingress – egress. Please see the site map for the exact location.

**7. Number of parking spaces for employees, customers, and service/delivery vehicles.**

The drill site, which is a prepared gravel area, will provide up to four parking spaces for the use of employees and service/delivery vehicles. There will be no customers.

**8. Goods sold on site.**

Should the exploration result in a producing well, then the oil and natural gas produced from the site will be sold. The oil will be stored in a tank on the site and once full, will be emptied by an oil field tanker and driven to a refinery for sale. The natural gas will be shipped by pipeline from the site and sold to the marketplace at the nearest buy point.

**9. What equipment is used?**

The proposed project includes three phases: (1) a Site Preparation Phase; (2) a Drilling and Testing



Phase; and, (3) a Production Phase. A description of each phase of the operation is provided below. An additional phase (4), a subsequent well drilling and testing phase would occur if the second and/or third well is drilled.

#### *Site Preparation*

The drill site boundaries will be clearly delineated to ensure all activities are confined to the project site. The proposed drill site will be cleared of young trees, and the drill pad will be graded to a level area not greater than 81,000 square feet (1.85 acres) in size. Gravel or a soil binder may be used to improve the surface of the access road to the drill site and on the drill site work areas.

Construction related equipment operated onsite during this Phase will include a dozer, front end loader, grader/scrapper, roller, and water truck.

#### *Drilling Phase*

The Drilling Phase will use the following equipment:

1. Exploratory drilling rig consisting of temporary pipe rack, mud pumps, and diesel powered generators.
2. Support equipment includes a backhoe, forklift, crane, water truck, and heavy and light duty service trucks.

It is anticipated, but may not be required, that not more than 2 hydraulic cranes will also be transported to the site to set up the drilling rig, raise the drilling mast and set the associated drilling equipment and supplies.

All drilling and production testing equipment (i.e., drilling rig, mud pumps, mud system equipment, portable water tanks, waste tanks, fuel tanks, portable toilets, pipe racks, and pipe baskets, etc.) will be temporarily installed and contained within the proposed drill site. Drilling equipment is identified on the Drilling Site Plan included with this application.

An above ground portable fluids tank system will be used for drilling and completion operations. All drilling fluids will be contained within the tank system and earthen cuttings will be contained onsite in half-round bins awaiting disposal.

Five short term accommodation travel trailers will be set up on the site during drilling and completion operations.

After a well is drilled, and the well is either completed or abandoned, the drilling rig is promptly disassembled and removed from the drill site.

#### *Completion and Testing Phase*

If Applicant decides to continue to the Completion and Testing phase, a smaller portable completion rig and wireline truck will be utilized to prepare the well-bore for the testing process. Once the completion work is done (approximately 5 to 7 days), the rig and truck will leave the site. At that point, two portable 21,000 gallon horizontal tanks will be set on location along with a fluid separator and temporary flare for the testing phase.

Once the Testing Phase is complete (approximately 30 to 60 days, but no more than 180 days), the

portable equipment will be cleaned and removed and the applicant will await building permit approval to move into the Production Phase of the Project.

### *Production Phase*

The Production Phase may use a combination of the following: pumping unit, oil and gas dehydrator, heater-treater, separation tank(s), water tank(s), crude oil storage tank(s), electric powered compressor, miscellaneous valves and pipelines, and an emergency flare. Applicant expects the site to contain no more than five tanks which will be in a containment area.

#### **10. What supplies or materials are used and how are they stored.**

The site preparation phase will utilize water for dust control and compaction which will be stored onsite in a metal or poly storage tank for access. Diesel may also be stored onsite for the fueling of construction equipment. If a soil binder is used for dust control, it will be brought in by the vendor and applied. No storage onsite would be expected.

For the Drilling Phase of the well, the supplies and materials used are comprised of diesel fuel, drilling mud, fresh water and various lubricants. These supplies and materials are brought to the site by truck. Each material is stored in its own container, which can be metal storage cans for the liquids and lubricants. Storage bags are used for the dry supplies of mud. Storage is outdoors on racks or the gravel drill site surface.

The Production Phase may utilize common oil field chemicals such as a biocide to prevent bacteria in the produced water or lubricants for mechanical integrity. Any chemicals used are stored in 120 gallon containers within a spill containment system.

#### **11. Does the use cause an unsightly appearance?**

The proposed use is characteristic of the area where oil and gas operations already exist alongside agricultural and other industrial activities. The Applicant would prevent an unsightly appearance from occurring by maintaining the site in a weed free state, preventing or painting over any graffiti that may occur, and maintaining equipment to prevent rust.

Drilling equipment will be removed from the site within 15 days of well drilling activity. Signage will be limited to what is necessary for safety and agency requirements.

Additionally, permanent production equipment will be painted in an earthen tone to blend in with the surrounding environment.

### *Glare*

Site preparation activities will be conducted during daylight hours and will not produce glare.

Well drilling, testing, and completion activities are not anticipated to produce glare.

Production processes and equipment will not produce glare.

Temporary directional lighting will be used during drilling and completion operations but lighting is not

required for the production facility. Directional lighting is used to minimize impacts of lighting to nocturnal animals.

**12. List any solid or liquid wastes to be produced.**

The estimated volume of earthen cuttings and drilling mud (solid waste) generated per day of drilling is approximately 1,500 lbs. Drilling mud and excess water is recycled during the drilling process to the greatest extent possible. Liquid waste would be excess water separated from the drilling mud during the drilling process and that volume of waste is expected to be approximately 1,200 to 1,900 gallons per day. All earthen cuttings will be separated from the mud system, de-watered and stored on the location in half round bins. All liquid waste is stored in covered, leak proof tanks. The cuttings will then be hauled to a licensed waste disposal facility that handles non-hazardous waste. Liquid waste will be transported to a licensed disposal facility at the end of the Drilling Phase. Excess cement from the cementing of pipe in the hole will be diverted to a licensed facility. The volume of this cement waste is expected to be no more than 900 gallons or 12,600 lbs.

Solid and liquid waste produced during the drilling, testing, and completion program is tested for hazardous criteria prior to shipping and disposal. Any waste exhibiting the characteristics of a hazardous waste, will be handled (stored, transported, and disposed of) according to CCR Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste.

Chemical toilets will be used onsite during the Drilling and Testing Phase and all sewage will be transported off site to an appropriate licensed disposal facility.

**13. Estimated volume of water to be used (gallons per day).**

Site preparation (grading and dust control) will require approximately 30,000 gallons. Between 8,000 and 11,000 gallons of water per day will be required during drilling operations, depending on that day's work program. Water will be purchased from a private commercial supplier and trucked to the site and stored in a temporary portable tank until used. Bottled water will be purchased and transported onsite for human consumption.

**14. Describe any proposed advertising including size, appearance and placement.**

There will be no advertising. Signage will be limited to that necessary for safety notices, agency required postings, and directions.

**15. Will existing buildings be used or will new buildings be constructed.**

There will be no construction of any buildings. No new buildings will be built. All features in the drilling process will be trucked in pre-assembled and then removed when the drilling process is completed. If the well is successful, a tank farm and a short segment of gas pipeline will be constructed. Please see the proposed Production Site Plan for details.

**16. Explain which buildings or what portion of buildings will be used in the operation.**

There will be no permanent buildings used or constructed. Five or six temporary trailers will be used during the Drilling Phase.

**17. Will any outdoor lighting or an outdoor sound amplification system be used?**

The lighting used will be only in the Drilling Phase. During that phase lighting on the drilling rig mast and surrounding platforms will be used to provide adequate safety lighting to the drillers. The lights will be directed in downward fashion to prevent unwanted glare to the surrounding area. Additionally, all safety lighting will be used as required by law.

There will be no sound amplification system used.

**18. Landscaping or fencing proposed.**

There will be no landscaping or fencing during the drilling phase. If the well is successful and a production facility is constructed, the Applicant may erect security fencing as required under California Code of Regulations, Chapter 4, Subchapter 2, Section 1778 to ensure the safety of the public and operational equipment.

Applicant may work with the surface owner to install some basic landscaping.

**19. Other information that will provide a clear understanding of the project or operation.**

**20. Identify all Owners, Officers and/or Board Members.**

The Project Applicant, Developer and Responsible Party is The Termo Company, a private corporation located in Long Beach, California with operations in Fresno County. CEQA does not require the disclosure of Owners, Officers, and/or Board Members of companies proposing projects undergoing CEQA analysis.

If County of Fresno Department of Public Works and Planning requires more information, please contact the Applicant.

Table 1

Summary of Short-Term Emissions Associated with the Mt. Whitney  
1-27 Initial Well and Facility Project

Project Phase	ROG (tons/year)	NOx (tons/year)	PM-10 (tons/year)	PM-2.5 (tons/year)
Pre-Activity Surveys	0.0000	0.0001	0.0000	0.0000
Site Preparation (includes PM-10 and PM-2.5 fugitive dust emissions from Roadway Model)	0.0006	0.0073	0.0153	0.0034
Drilling Phase	0.1425	2.4130	0.0627	0.0502
Completion and Testing Phase	0.0445	0.0488	0.1510	0.1208
Production Equipment Installation Phase – Option 1	0.0019	0.0169	0.0008	0.0006
Production Phase	0.0598	0.2462	0.0204	0.0163
Plugging and Abandonment Phase	0.0020	0.0219	0.0008	0.0006
<b>Totals</b>	<b>0.2513</b>	<b>2.7542</b>	<b>0.2510</b>	<b>0.1919</b>
Note: Annual Emissions below 0.00005 tons/year appear as 0.0000 tons/year. Equipment would use ultra-low sulfur gasoline and diesel fuel. As a result, SOx emissions would be negligible.				





# County of Fresno

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

## INITIAL STUDY APPLICATION

### INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

OFFICE USE ONLY

IS No. 7469

Project No(s) CUP 3653

Application Rec'd.:  
06/07/19

### GENERAL INFORMATION

- Property Owner:** DLM Partners **Phone/Fax:** 559-448-8010

**Mailing Address:** 3265 W Figarden Dr., Fresno, CA 93711

*Street* *City* *State/Zip*
- Applicant:** The Termo Company **Phone/Fax:** 562-595-7401

**Mailing Address:** P O Box 2767, Long Beach, CA 90807

*Street* *City* *State/Zip*
- Representative:** Neil F. Ormond **Phone/Fax:** 559-298-5068

**Mailing Address:** 312 5th St., Suite A, Clovis, CA 93612

*Street* *City* *State/Zip*
- Proposed Project:** The Termo Company is proposing the construction of a new earthen well pad and the drilling of up to three (3) exploratory oil and gas wells. If successful, the Project would include the construction of oil and gas Production equipment and related appurtenances.
- Project Location:** Approximately one-half mile southwest of Five Points on the West side of Highway 145. It is agricultural land 100 feet from the highway.
- Project Address:** N/A
- Section/Township/Range:** 27 / 17S / 17E      **Parcel Size:** 156.22 acres
- Assessor's Parcel No.** 050-130-75S      **OVER.....**

10. Land Conservation Contract No. (If applicable): 561

11. What other agencies will you need to get permits or authorization from:

<u>      </u> LAFCo (annexation or extension of services)	<u>  x  </u>	<u>      </u> SJVUAPCD (Air Pollution Control District)
<u>      </u> CALTRANS	<u>      </u>	<u>      </u> Reclamation Board
<u>      </u> Division of Aeronautics	<u>      </u>	<u>      </u> Department of Energy
<u>  x  </u> Water Quality Control Board	<u>      </u>	<u>      </u> Airport Land Use Commission
<u>  x  </u> Other <u>DOGGR</u>	<u>      </u>	

12. Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969?        Yes   x   No

If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.

13. Existing Zone District<sup>1</sup>: AE 20. Exclusive Agriculture

14. Existing General Plan Land Use Designation<sup>1</sup>: Agriculture

**ENVIRONMENTAL INFORMATION**

15. Present land use: Pistachio orchard  
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

There is an irrigated pistachio orchard of three year old trees covering the entire parcel. Gravel farm roads exist on the East, West and South sides of the parcel. No buildings, water wells or sewage facilities exist on the parcel.

Describe the major vegetative cover: three year old pistachio trees

Any perennial or intermittent water courses? If so, show on map: None

Is property in a flood-prone area? Describe:

FEMA "A" Flood Zone.

No Base Flood Elevations performed; therefore, no flood depths are shown.

16. Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):

North: Agriculture

South: Agriculture

East: Agriculture


West: Agriculture





24. Anticipated volume of water to be used (gallons per day)<sup>2</sup>: 8,000 to 10,000 gallons/day
25. Proposed method of liquid waste disposal:  
 ( ) septic system/individual  
 ( ) community system<sup>3</sup>-name see Attachment #25
26. Estimated volume of liquid waste (gallons per day)<sup>2</sup>: 1,200 to 1,900 gallons/day for 20 to 25 day drilling period.
27. Anticipated type(s) of liquid waste: Fresh water mixed with earthen cuttings, betonite, barium sulfate, calcium carbonate.
28. Anticipated type(s) of hazardous wastes<sup>2</sup>: None
29. Anticipated volume of hazardous wastes<sup>2</sup>: None
30. Proposed method of hazardous waste disposal<sup>2</sup>: If found, will use 22 CCR 66261.3 and disposal by a licensed hazardous waste handler.
31. Anticipated type(s) of solid waste: see Attachment #31
32. Anticipated amount of solid waste (tons or cubic yards per day): see Attachment #32.
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): See Attachment #33.
34. Proposed method of solid waste disposal: see Attachment #34
35. Fire protection district(s) serving this area: CFD Zone 2
36. Has a previous application been processed on this site? If so, list title and date: \_\_\_\_\_  
Well Permit, filed February 1967. The well was plugged and abandoned.
37. Do you have any underground storage tanks (except septic tanks)? Yes \_\_\_\_\_ No X
38. If yes, are they currently in use? Yes \_\_\_\_\_ No \_\_\_\_\_

TO THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.

  
 SIGNATURE Ralph Combs  
 The Termo Company

5/31/19  
 DATE

<sup>1</sup>Refer to Development Services and Capital Projects Conference Checklist

<sup>2</sup>For assistance, contact Environmental Health System, (559) 600-3357

<sup>3</sup>For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259



# ATTACHMENT

## Initial Study Application

Pre-Application Review No. 39681

### 19. Transportation Details.

The following tables layout the anticipated trips for the Site Preparation and Drilling Phases of the Project.

<i>Trips for Pre-Drilling Activity</i>					
Description	Number	Round Trip Distance (miles)	Duration (days)	Total Miles Driven	Notes
Passenger Car/Truck Roundtrips (Termo)	6	TBD	1	TBD	Staff visits from construction thru drilling and completion
Passenger Car/Truck Roundtrips (Survey - well staking)	2	TBD	1	TBD	Site survey / Well staking - Landmark
Passenger Car/Truck Roundtrips (Survey - construction staking)	1	TBD	1	TBD	Construction staking - Landmark
<i>Trips for Site Preparation Activity</i>					
Description	Number	Round Trip Distance (miles)	Duration (days)	Total Miles Driven	Notes
Water Truck	1	TBD	3	TBD	
Passenger Car/Truck Roundtrips	2	TBD	5	TBD	Crew
Heavy Truck/Semi	1	TBD	2	TBD	Haul equipment to / from contractors' yard
Heavy Truck/Semi	1	TBD	2	TBD	Haul equipment to / from contractors' yard
<i>Trips for Drilling Activity</i>					
Description	Number	Round Trip Distance (miles)	Duration (days)	Total Miles Driven	Notes
Water Truck (Heavy Duty)	2	TBD	20	TBD	
Water Truck (Dust Control)	1	TBD	20	TBD	
Passenger Car/Pickup Trucks (Light Duty)	8	TBD	20	TBD	
Heavy Duty Trucks (Normal Operations)	4	TBD	10	TBD	Kenai or Ensign
Heavy Duty Trucks (Mobilization and Demobilization of Equipment)	18	TBD	2	TBD	Kenai or Ensign
Heavy Duty Trucks (Diesel Fuel Delivery for Drill Rig)	2	TBD	4	TBD	
Heavy Duty Trucks (Casing Cementing)	3	TBD	2	TBD	
Heavy Duty Trucks (Other)	2	TBD	1	TBD	
Heavy Duty Trucks (Services and Delivery)	4	TBD	3	TBD	

The following tables layout the anticipated maximum trips for the Completion / Testing and Production Phases of the Project, should this portion of the Project occur.

<i>Trips for Testing and Completion Activity</i>					
Description	Number	Round Trip Distance (miles)	Duration (days)	Total Miles Driven	Notes
Pick-up Truck	3	TBD	10	TBD	
Downhole Pump Install	2	TBD	1	TBD	
Other Completion Work	3	TBD	1	TBD	
Heavy Duty Truck (Oil Transport)	1	TBD	TBD	TBD	

<i>Trips for Building Production Facility and Pipeline</i>					
Mobile Sources	Number	Round Trip Distance (miles)	Duration (days)	Total Miles Driven	Notes
Water Truck	1	TBD	5	TBD	
Pickup Truck - Dirt Work	2	TBD	15	TBD	Crew
Pickup Truck - Construction	3	TBD	30	TBD	Crew
Heavy Truck/Semi	3	TBD	8	TBD	Haul tanks and equipment
Heavy Truck/Semi	1	TBD	2	TBD	Haul equipment to / from contractor yard
Heavy Truck/Semi	1	TBD	2	TBD	Haul equipment to / from contractor yard

<i>Trips for Daily Production</i>					
Mobile Sources	Number	Round Trip Distance (miles)	Duration (days)/yr	Total Miles Driven	Notes
Passenger Pick-up Truck	1	TBD	365	TBD	
Other Heavy Work Truck	5	TBD	15	TBD	
Heavy Duty Truck (Oil Transport)	1	TBD	TBD	TBD	Dependent on well success

The Project proposes to use existing access roads and ingress / egress from Highway 145. No additional roads, driveways, or other alterations are expected to be necessary.

**20. Describe sources of noise from the project that may affect the surrounding area.**

Construction and drilling are the two activities that will create noise during the Project development.

*Noise - Construction*

Operation of construction related equipment will generate noise. The United States Environmental Protection Agency has found that the noisiest equipment types operating at construction sites typically range from 88 dBA to 101 dBA at a distance of 50 feet. The following table lists noise levels typically generated by construction equipment that may be used during the Site Preparation Phase.

Type of Equipment	Typical Sound Level (dBA at 50 feet)
Generator	76
Air Compressor	81
Pneumatic Tools	85
Backhoe	85
Excavator	86
Dozer	87
Front-End Loader	88
Dump Truck	88
Scraper	88

Based on sound levels presented in the above table, equipment associated with the construction of the drilling site could produce noise levels in excess of 88 dBA at a distance of 50 feet from the site. However, the nearest residence is located approximately 3,600 feet northeast from the proposed project site. Using an attenuation algorithm of 6 dBA per doubling of distance (accepted technical standard), maximum outdoor noise levels are expected to be approximately 50.85 dBA at the nearest residence.

*Noise - Drilling*

Operation of the drilling rig will produce noise. Termo has conducted noise studies using one of the drilling rigs proposed for this project. The following table gives the results of this noise study:

Distance	Direction from Unit			
	North	East (Next to the generators)	South (Next to Pumps)	West
50 feet	101	102	98	99
100 feet	91	90	89	89
200 feet	88	86	84.5	85.5
400 feet	81.3	83.5	77	81
800 feet	71.2	72	70.2	71.2
1,000 feet	67.5	68	68	69.3
1,400 feet	63.5	62.5	63.4	62.2

Sound survey measurements presented in dBA

Based on sound levels presented in the above table, equipment associated with the drilling of the well could produce noise levels in excess of 102 dBA at a distance of 50 feet and 63.5 dBA at a distance of

1,400 feet from the site. The nearest residence is located approximately 3,600 feet northeast from the proposed project site. Using the accepted attenuation algorithm of 6 dBA per doubling of distance, the noise level at the residence located in Five Points could be approximately 55.3 dBA.

It is worth noting that the project is adjacent to Highway 145 and the closest possible sensitive receptor is in Five Points near the intersection of Highways 145 and 269. No background noise studies have been conducted in the area, but due to the proximity to the highway and the industrial activity in Five Points, background noise could be expected to be higher than in other rural areas.

Noise from daily production activities will be consistent with background noise in the area and would include personal vehicles, equipment operations, and mechanical or plumbing type work.

## 22. Describe the probable source(s) of air pollution from the Project.

Aspects of site construction, drilling, and oil production can produce pollution. However, the polluting aspects of these activities are regulated by both the California Air Resources Board (CARB) and the San Joaquin Valley Air Pollution Control District (SJVAPCD).

### *Emissions*

Site construction and drilling utilize diesel powered heavy equipment. All on-road heavy duty trucks will be compliant with CARBs Level 3 or greater emissions controls or other applicable diesel retro-fit regulations. The diesel generators and power sources for the drilling rig are PERP registered.

Production emissions are prevented through regular inspections and the use of a Leak Detection and Repair Program (LDAR). Production tanks will be outfitted with vapor recovery to prevent fugitive emissions.

### *Dust*

Site preparation activities and truck traffic during the drilling phase may produce dust. The applicant proposes the following to mitigate this possibility:

- Water all active road and construction areas as needed to reduce or eliminate dust from traffic and construction.
- Cover all trucks hauling soil, sand or other loose materials or require all trucks to maintain at least two feet of freeboard.
- Actively apply water for dust control during the drilling phase.
- Apply a soil binder, gravel, or other material for dust mitigation

During the production phase, vehicle trips to the site may produce dust. Typically a maximum of one truck trip per day will be required to inspect the well during its producing life. Dust created by this daily visit

will be minimal as applicant expects to gravel the small portion of road necessary to access the production site.

### *Odor*

Emissions resulting from the operation of diesel-powered generators used to power drilling equipment may produce odors. However, these activities are short term and temporary in nature. The drill site is over three-quarters of a mile from the nearest residence and any odors produced will be sharply diminished by the distance of travel. Additionally, odors are an unwelcome part of daily operations and Termo actively works to prevent them.

## **25. Proposed method of liquid waste disposal**

Liquid waste would be excess water separated from the drilling mud during the drilling process and that volume of waste is expected to be approximately 1,200 to 1,900 gallons per day. All liquid waste will be stored in covered, leak proof tanks. The liquid waste will be transported to a licensed disposal facility used primarily for the disposal of oil exploration waste at the end of the Drilling Phase.

Liquid waste produced during the drilling, testing, and completion program is tested for hazardous criteria prior to shipping and disposal. Any waste exhibiting the characteristics of a hazardous waste, will be handled (stored, transported, and disposed of) according to CCR Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste.

Chemical toilets will be used onsite during the Drilling and Testing Phase and all sewage will be transported off site to an appropriate licensed disposal facility.

## **31. Anticipated types of solid waste**

Solid waste from the site preparation phase of the Project will consist of plant material from the removal of the orchard trees. The landowner and Applicant will work together to manage this plant material ensuring it is diverted from landfill.

Solid waste from the drilling phase of the Project will consist of earthen cuttings, dehydrated drilling mud, and excess cement.

Solid waste from the completion and testing phase (if applicable) will consist of dehydrated mud.

Solid waste from the production facility construction phase (if applicable) will consist of scrap metal, wiring, cement, and other construction debris.



### **32. Estimated volume of solid waste per day**

The estimated volume of plant material from the site preparation phase is unknown. Between 128 and 144 trees are anticipated to be removed for the initial site preparation. If the exploratory well is successful another 40 trees would be removed. No soil material is expected to be removed from the site for either phase.

The estimated volume of earthen cuttings and dehydrated drilling mud generated per day of drilling (20 day period) is approximately 1,500 lbs.

The estimated volume of waste cement from this phase is estimated to be between 4,000 lbs. and 12,600 lbs. The cement waste is generated over the span of three to four days and not during the entirety of the Project. Cement waste is dependent on down-hole variables but the Applicant endeavors to not exceed 12,600 lbs.

The estimated volume of solid waste, consisting primarily of drilling mud generated during the Completion and Testing Phase, is not expected to exceed 550 lbs. per day over a 7 day period.

Solid waste volume from the construction of the production facility is unknown.

### **33. Anticipated amount of waste to be recycled**

Applicant will work with the agricultural company to divert and recycle the trees and vegetation removed from the site. Past practice has included chipping and the creation of mulch material or diversion for fire and bbq wood.

Drilling mud is re-used and recycled throughout the drilling process as much as possible. Liquid separated from the mud and cuttings is also recycled and continued to be used as much as possible.

Waste generated from the site construction for the production phase will be managed in accordance with the Construction Waste Reduction Disposal and Recycling requirements in CCR Title 24, Part 11 (2016).

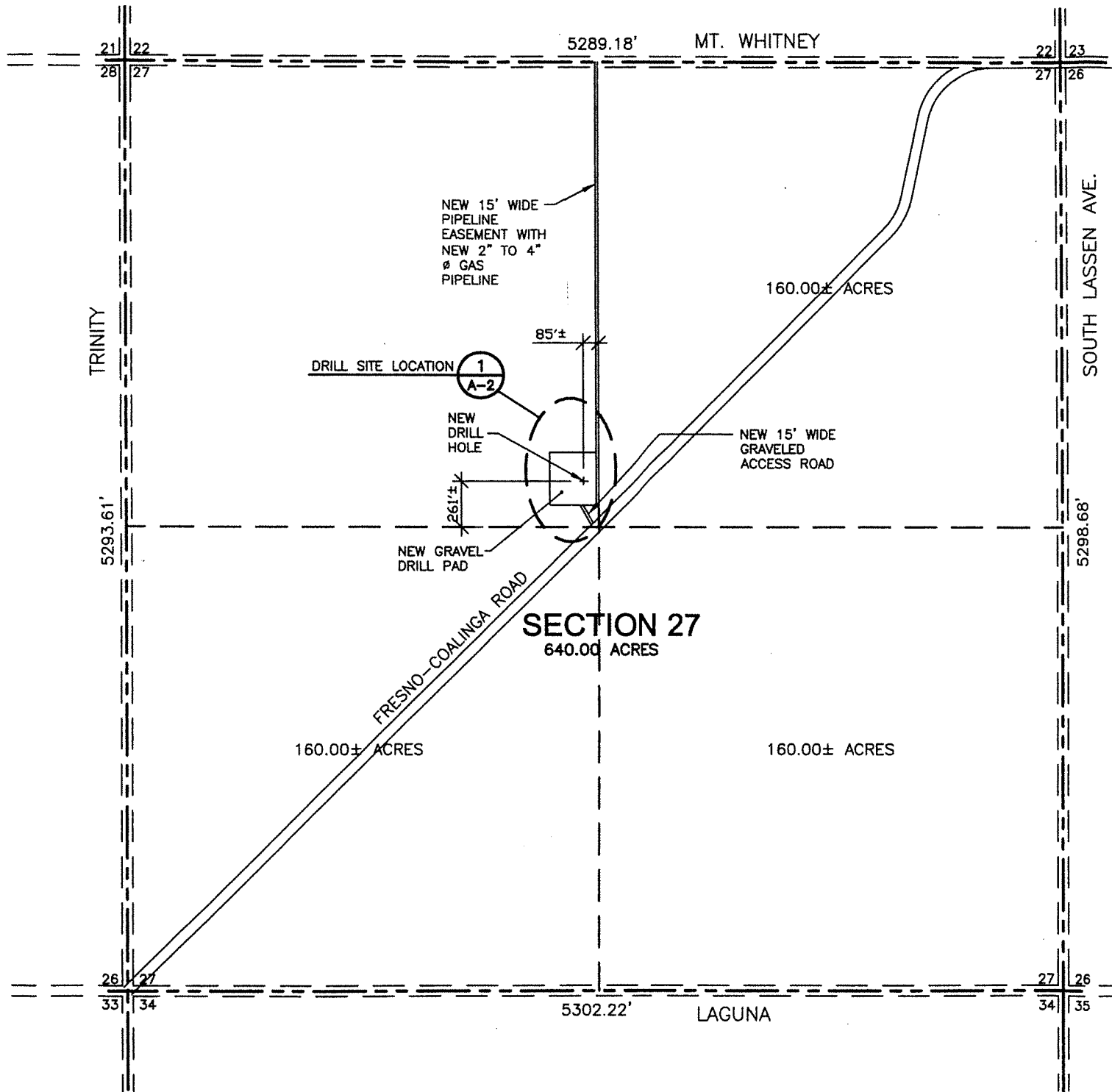
### **34. Proposed method of solid waste disposal**

Applicant will work with the agricultural company to divert and recycle the trees and vegetation removed from the site.

All earthen cuttings will be separated from the mud system, de-watered and stored on the location in half round bins. All liquid waste is stored in covered, leak proof tanks. The cuttings will then be hauled to a licensed waste disposal facility that handles non-hazardous waste. The drilling mud will be treated the same way. Cement will be managed as required by law.

Solid waste generated from the site construction for the production phase will be managed in accordance with the Construction Waste Reduction Disposal and Recycling CCR Title 24, Part 11 (2016).

END OF ATTACHMENT



LEASEE: THE TERMO COMPANY  
 OWNER: DLM PARTNERS  
 WELL: MT. WHITNEY #1-27  
 SECTION 27 T.17S. R.17E., M.D.B.&M.  
 APN: 050-130-75S  
 FIVE POINTS, CA  
 COUNTY OF FRESNO




**SITE PLAN**  
 SCALE: 1"=800'


**VICINITY MAP**  
 SCALE: NONE

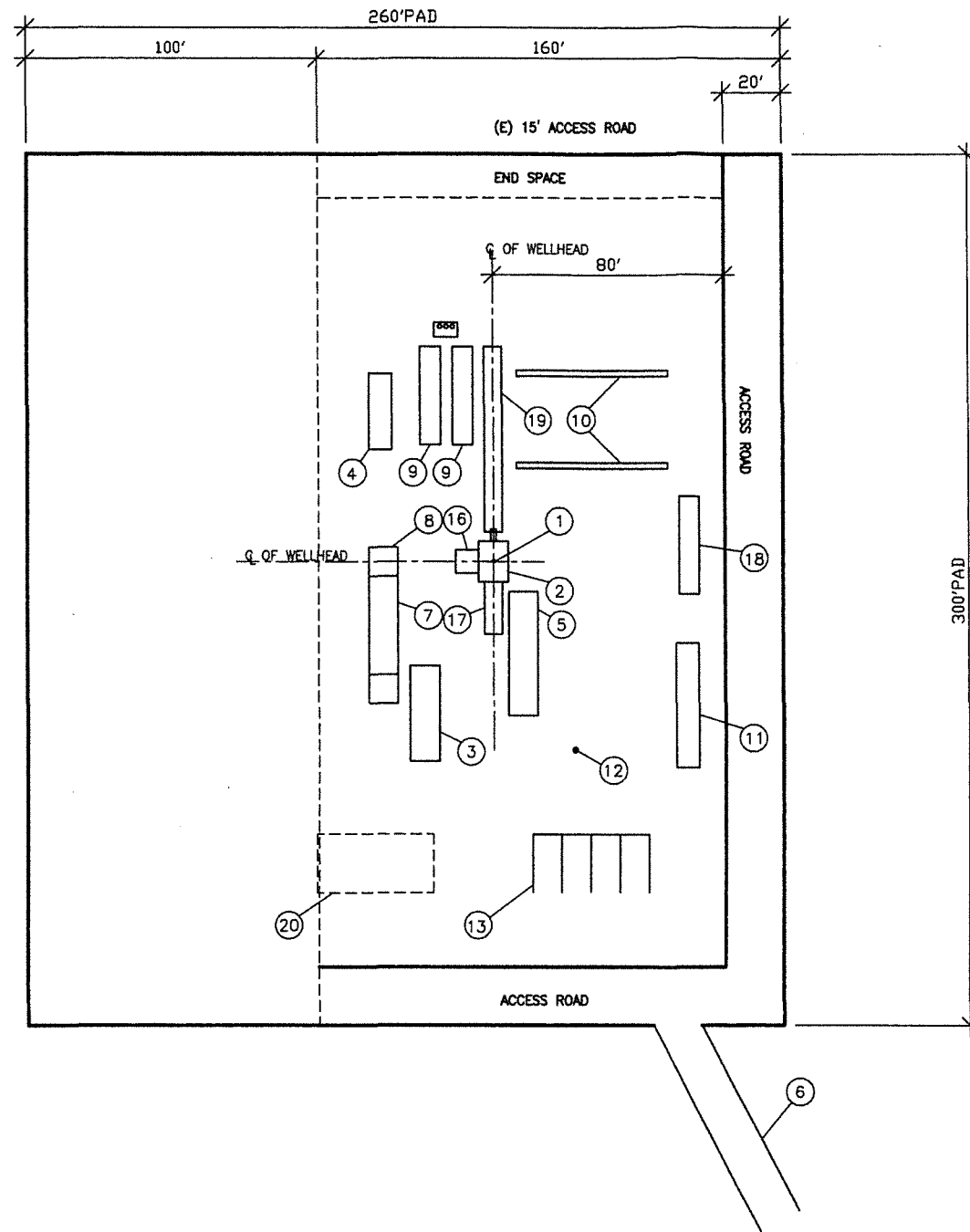
DRAWING SCHEDULE	
A-1	SECTION SITE PLAN
A-2	PAD SITE PLAN
A-3	EXPLORATORY OIL WELL ELEVATIONS
A-4	PROPOSED PRODUCTION OIL WELLS
A-5	PRODUCTION OIL WELL ELEVATIONS

**THE DRAWING CENTER**  
 456 CLOVIS AVE, SUITE 1  
 CLOVIS, CA 93612  
 TEL: (559) 323-7153  
 FAX: (559) 323-7156  
 E-mail: drawing@sbcglobal.net

SITE PLAN FOR  
**MT. WHITNEY #1-27**  
 FRESNO COUNTY, CA

job no. D.C. #1971 90-051.dwg	date 05-24-2019	dr. by J. JOHNSON
revisions		

sheet no.  
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LEASEE: THE TERMO COMPANY  
 OWNER: DLM PARTNERS  
 WELL: MT. WHITNEY #1-27  
 SECTION 27 T.17S. R.17E., M.D.B.&M.  
 APN: 050-130-75S  
 FIVE POINTS, CA  
 COUNTY OF FRESNO

**LEGEND**  
 (E) EXISTING  
 (N) NEW

- KEY**
- ① PROPOSED OIL WELLHEAD LOCATION
  - ② CELLAR 10'-0" SQUARE X 6' DEEP WITH GUARD RAIL SURROUND ABOVE GROUND
  - ③ MAIN MUD PUMP, 10' WIDE X 33'-6" LONG
  - ④ STANDBY PUMP, 8' WIDE X 26'-2" LONG
  - ⑤ GENERATOR, 10' WIDE X 42'-9" LONG
  - ⑥ NEW 15' GRAVELED ACCESS ROAD TO FRESNO-COALINGA ROAD
  - ⑦ MUD TANK, 9'-4" WIDE X 40' LONG
  - ⑧ MUD DOCK, 8' WIDE X 33'-3" LONG
  - ⑨ PIPE BIN, 7' WIDE X 33'-8" LONG
  - ⑩ PIPE RACK
  - ⑪ FLUIDS TANK SYSTEM, 8' X 43', QTY-2
  - ⑫ (E) CLEARED, LEVEL SITE WITH DIRT BASE
  - ⑬ EMPLOYEE PARKING SPACE, 10' X 20', QTY (4).
  - ⑭ DRILLER'S HOUSE
  - ⑮ DRAWWORKS
  - ⑯ DOGHOUSE
  - ⑰ CATWALK
  - ⑱ SHORT TERM ACCOMODATION TRAVEL TRAILERS PARKING



**SITE PLAN DETAIL "A"**  
 SCALE: 1"=80'

**PROPOSED EXPLORATORY KENAI OIL WELL**

**THE DRAWING CENTER**  
 456 CLOVIS AVE, SUITE 1  
 CLOVIS, CA 93611  
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 FAX: (559) 223-7156  
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SITE PLAN FOR  
**MT. WHITNEY #1-27**  
 FRESNO COUNTY, CA.

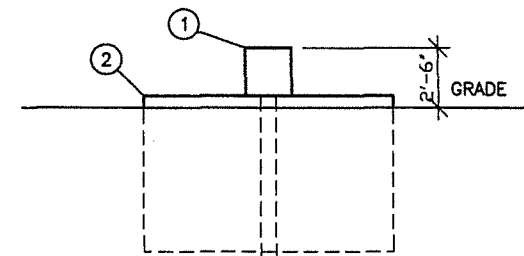
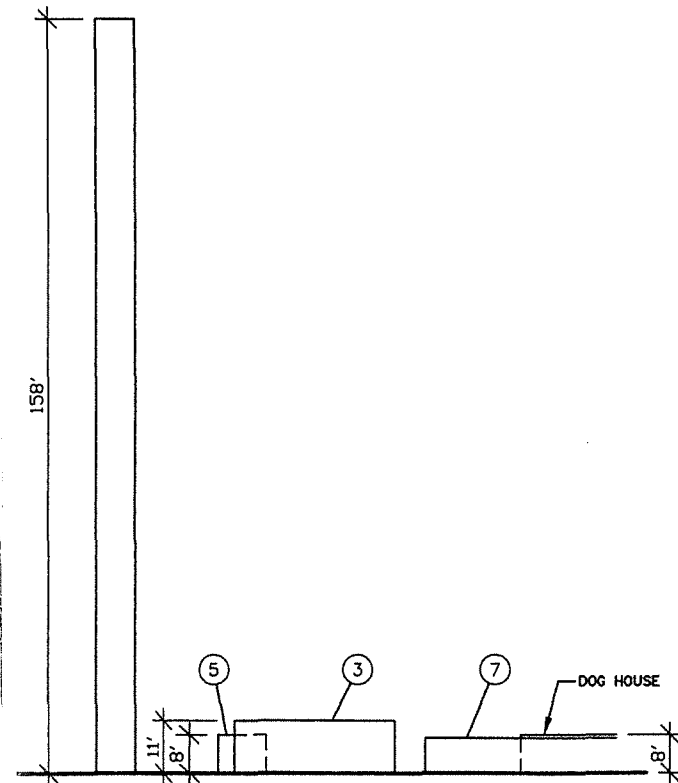
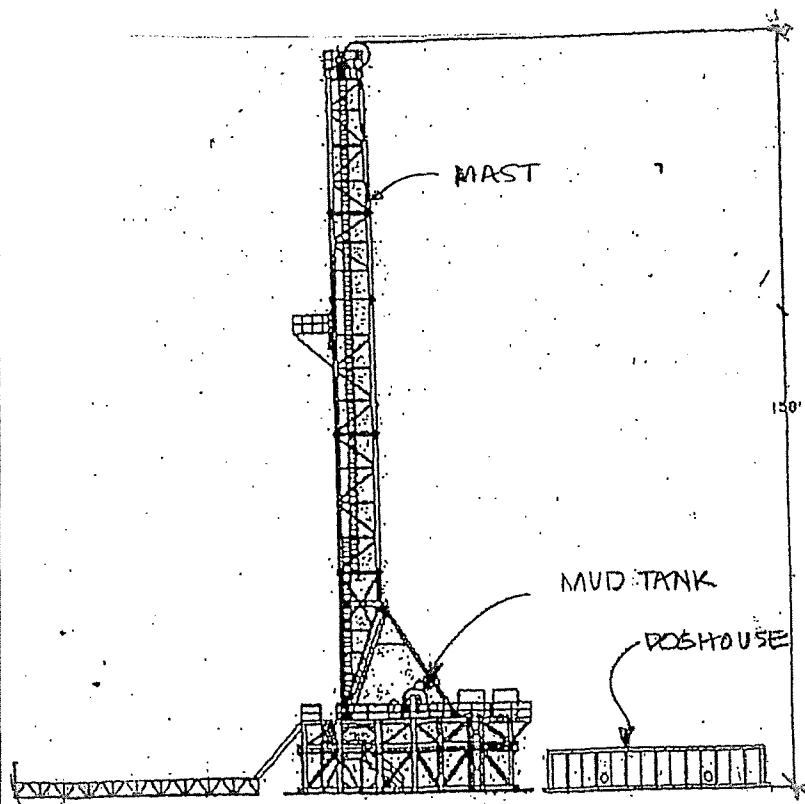
job no. D.C. #1971 90-052.dwg	date 05-24-2019	dr. by J. JOHNSON
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**A-2**  
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LEASEE: THE TERMO COMPANY  
 OWNER: DLM PARTNERS  
 WELL: MT. WHITNEY #1-27  
 SECTION 27 T.17S. R.17E., M.D.B.&M.  
 APN: 050-130-75S  
 FIVE POINTS, CA  
 COUNTY OF FRESNO

**LEGEND**  
 (E) EXISTING  
 (N) NEW

**KEY**  
 ① OIL WELLHEAD  
 ② CELLAR 10'-0" SQUARE X 6' DEEP WITH GUARD RAIL SURROUND ABOVE GROUND  
 ③ MAIN MUD PUMP, 10' WIDE X 33'-6" LONG  
 ④  
 ⑤ GENERATOR, 10' WIDE X 42'-9" LONG  
 ⑥  
 ⑦ MUD TANK, 9'-4" WIDE X 40' LONG  
 ⑧  
 ⑨  
 ⑩  
 ⑪  
 ⑫ (E) CLEARED, LEVEL SITE WITH DIRT BASE



**THE DRAWING CENTER**

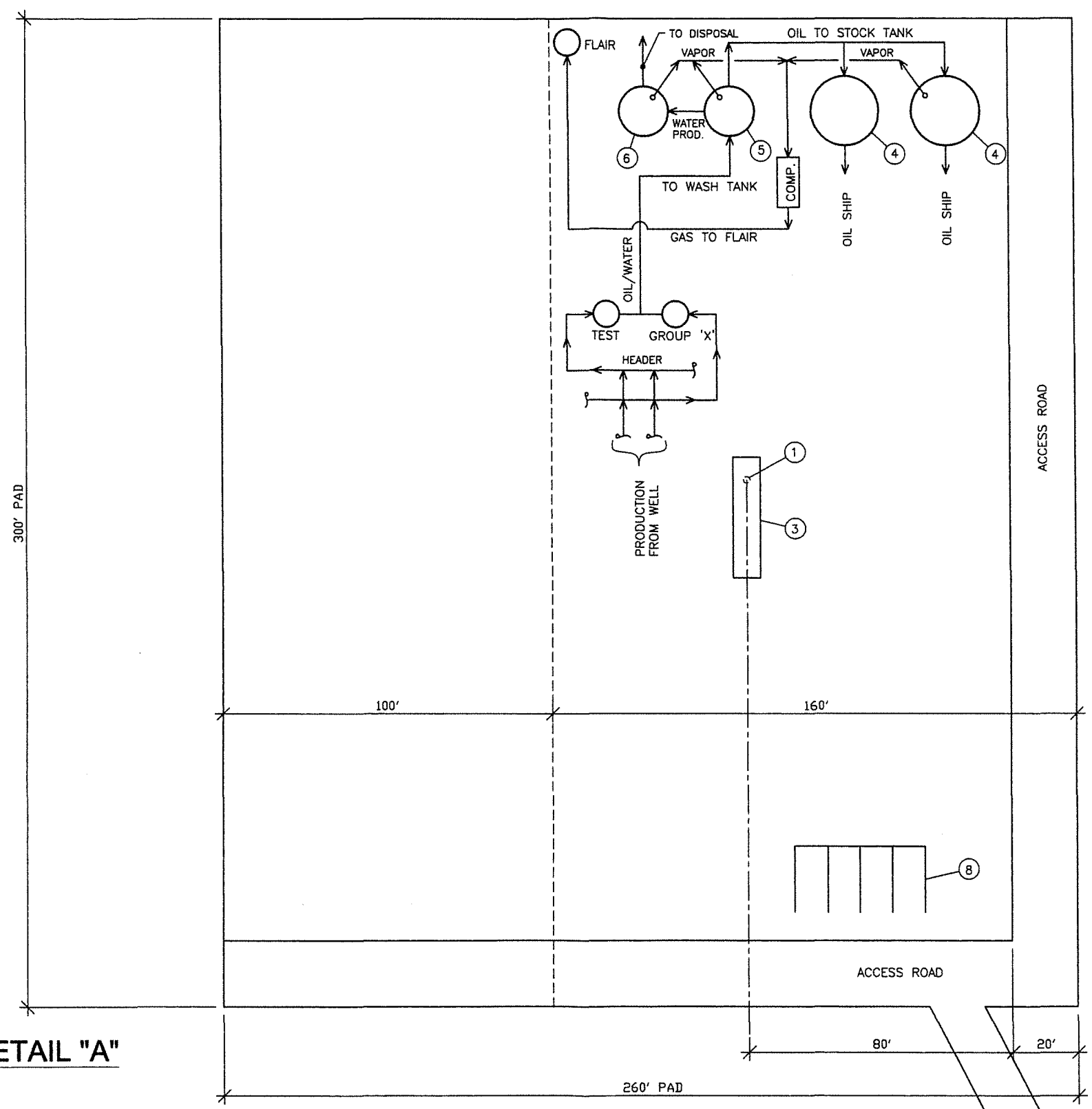
456 CLOVIS AVE, SUITE 1  
 CLOVIS, CA 93612

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 FAX: (559) 323-7156  
 E-mail: drawing@bcglobal.net

SITE PLAN FOR  
 MT. WHITNEY #1-27  
 FRESNO COUNTY, CA

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**A-3**  
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LEASEE: THE TERMO COMPANY  
 OWNER: DLM PARTNERS  
 WELL: MT. WHITNEY #1-27  
 SECTION 27 T.17S. R.17E., M.D.B.&M.  
 APN: 050-130-75S  
 FIVE POINTS, CA  
 COUNTY OF FRESNO

**LEGEND**  
 (E) EXISTING  
 (N) NEW

**KEY**  
 ① PRODUCTION OIL WELL LOCATION  
 ② THIS NUMBER NOT BEING USED  
 ③ (N) PUMPING UNIT  
 ④ (N) 400 Bbl OIL TANK. 12'Ø X 20' HIGH  
 ⑤ (N) 500 Bbl WASH TANK. 12'Ø X 25' HIGH  
 ⑥ (N) 500 Bbl WATER TANK. 12'Ø X 25' HIGH  
 ⑦ THIS NUMBER NOT BEING USED  
 ⑧ EMPLOYEE PARKING SPACE, 10' X 20', QTY (4).



**SITE PLAN DETAIL "A"**  
 SCALE: 1"=40'

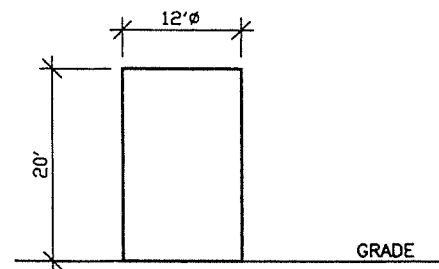
**PROPOSED PRODUCTION OIL WELL**

**THE DRAWING CENTER**  
 456 CLOVIS AVE, SUITE 1  
 CLOVIS, CA 95612  
 TEL: (559) 323-7153  
 FAX: (559) 323-7156  
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SITE PLAN FOR  
**MT. WHITNEY #1-27**  
 FRESNO COUNTY, CA

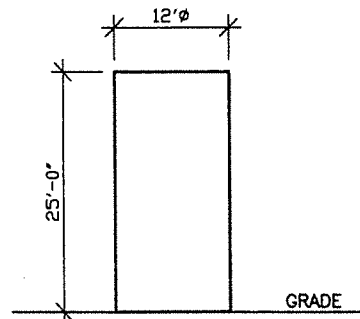
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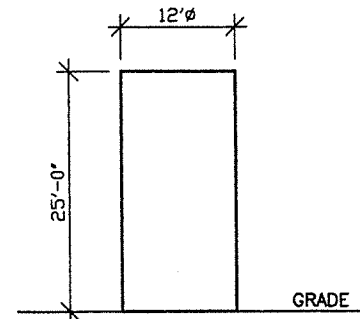
**PRODUCTION OIL TANK ELEVATION**

SCALE: 1"=20'



**PRODUCTION WASH TANK ELEVATION**

SCALE: 1"=20'



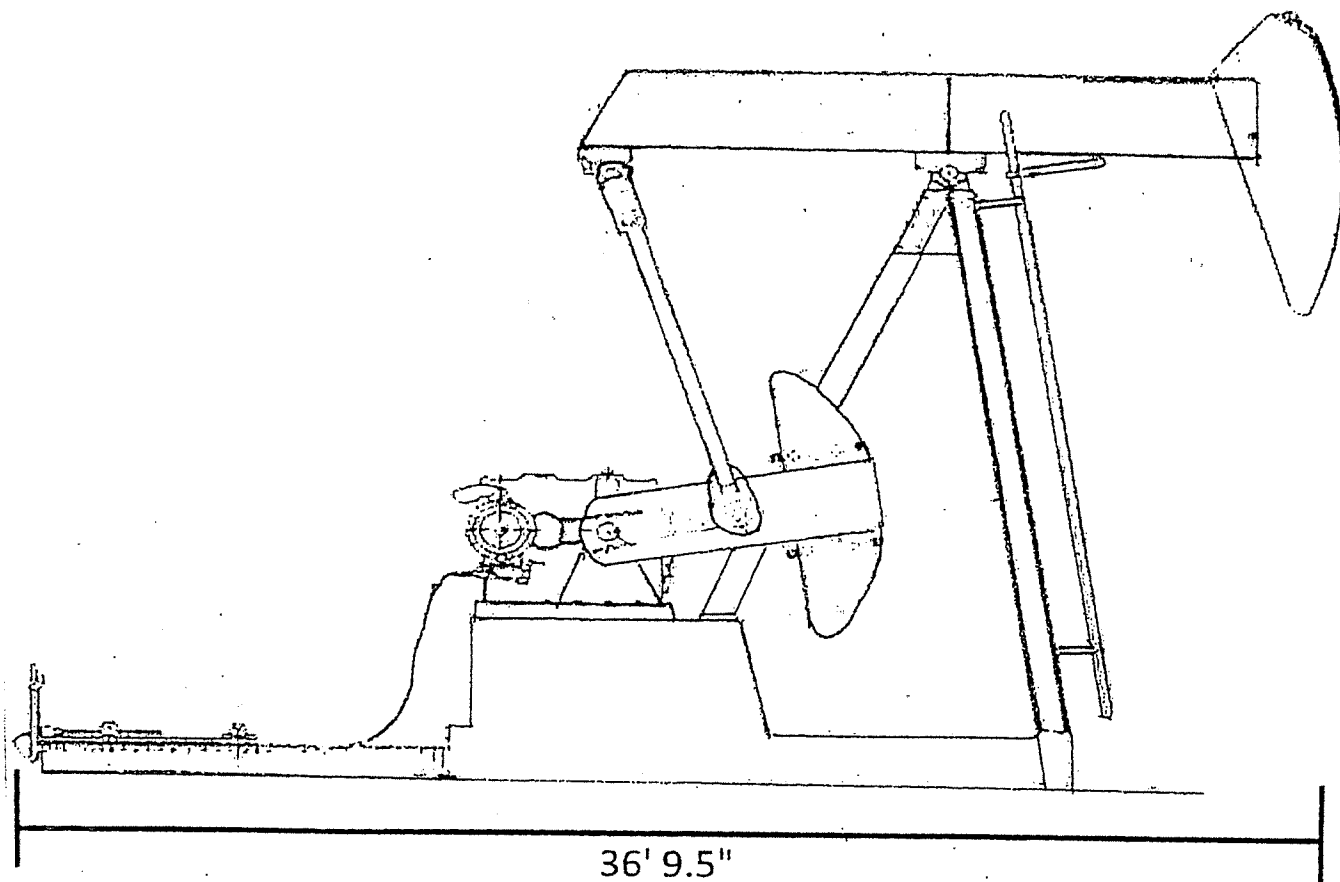
**PRODUCTION WATER TANK ELEVATION**

SCALE: 1"=20'

LEASEE: THE TERMO COMPANY  
 OWNER: DLM PARTNERS  
 WELL: MT. WHITNEY #1-27  
 SECTION 27 T.17S. R.17E., M.D.B.&M.  
 APN: 050-130-75S  
 FIVE POINTS, CA  
 COUNTY OF FRESNO

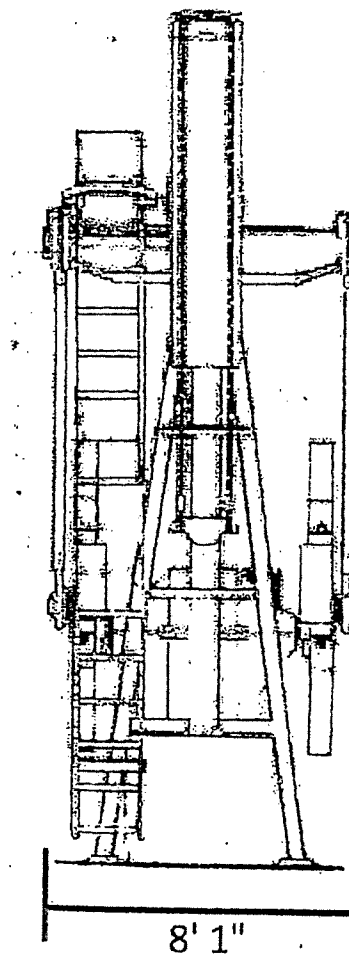
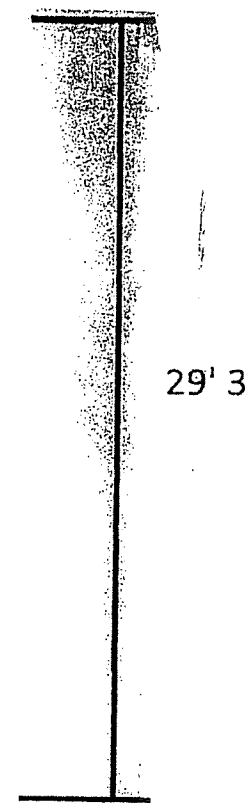
**LEGEND**

- (E) EXISTING
- (N) NEW



**PRODUCTION SIDE VIEW PUMPING UNIT**

SCALE: NONE



**PRODUCTION FRONT VIEW PUMPING UNIT**

SCALE: NONE

**THE DRAWING CENTER**

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 CLOVIS, CA 93612

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SITE PLAN FOR  
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