

Access Roads

It is still unclear from the project description whether the access road to the project site from Huasna Townsite Road will be along the existing Mankins ranch road or along the easement owned by Excelaron, which appears as a project document appendix. If Excelaron intends to use this easement for access to the project site, they will have to construct a new road. The Pre-EIR Consultant Bid Meeting "Errata Sheet" states that a verbal agreement with a landowner allows use of an existing ranch road as the access to the project site and as such, the Nesbitt easement will not be used. Such a verbal agreement must be recorded as a formal easement. The details of that easement contract should become a project document and the landowner should be named as a project applicant.

The oil haul route crosses several other private parcels for transportation of equipment, employees, and crude oil. All easement agreements for these private lands should become project documents and be examined in the EIR. The details of the agreements, especially the length of the contracts, the assumed liability in the case of accidents, the responsibility and criteria for determination of a "passable" road, and the agreement and schedule for maintenance of the roads should be fully disclosed as part of the project description.

The transportation route from the project site to Highway 166 crosses seven miles of private dirt roads. The EIR must include this entire route in all aspects of its environmental impact analysis. Such analysis should require a plan and profile for the entire route as well as a grading plan. These roads do not fall under any agricultural exemptions, as they will service an industrial facility. These private roads will likely require a minor use permit, which must be evaluated and processed in conjunction with the Excelaron Conditional Use Permit.