

The applicant's original project description from June 5, 2007 contains parcel maps and aerial photos that show clearly that the proposed shipping site lies on Williamson Act contracted parcel 085-271-001. However on March 12, 2010 Excelaron's surveyor stated that the proposed shipping site is located outside the Williamson Act contracted parcel. This statement was based on an examination of topographical lines appearing on a map and not on an actual survey.

There have been many questions raised about this project's with agriculture on Williamson Act contracted land. The Williamson Act definition of petroleum extraction allows on-site processing of extracted oil only to the extent necessary to conform to pipeline requirements. It does not include processing to conform to truck transportation or operation of a vehicle and freight terminal. Similarly, the daily disposal of over 47,000 gallons of wastewater from petroleum extraction does not appear to be a compatible or allowed use on contracted land. In addition, AB 1492, section 51250 clearly defines industrial facilities exceeding 2,500 square feet as not permissible on Williamson Act contracted land.

The Huasna-Lopez planning area has over 82,000 acres of AG land, with a large percentage of that land in Williamson Act contracts with the state. This is an area of active agriculture that would be negatively impacted by the presence of an industrial facility. There is no Energy Extraction Combining Designation for the Huasna Area, despite past attempts to extract oil and the known presence of some low-grade tar.

In fact the Mankins property in question has seen two past failed efforts to extract that tar - once in the 1960's and again in the 1980's. The property has since benefited by the reduction in property taxes afforded by its Williamson Act contract for its agricultural use - a contract that is not compatible with the development of an industrial oil production facility.

Excelaron's solution to this incompatibility is to claim that lines on a map were drawn incorrectly. Such a claim needs to be verified with an independent survey of the property in question and not by a simple examination of topographical lines on a map!