

**DATE: MAY 19, 2008**

**TO: AGRICULTURAL PRESERVE REVIEW COMMITTEE**

**FROM: TERRY WAHLER, SENIOR PLANNER**

**SUBJECT: EXCELARON-MANKINS CONDITIONAL USE PERMIT FOR OIL WELL & STAGING AREA (DRC2005-00022) - WILLIAMSON ACT CONSISTENCY REVIEW**

**SUMMARY:**

The Rules of Procedure provide that staff can bring land use projects or other items related to, or potentially in conflict with, the Williamson Act to the Review Committee for input and, when appropriate, a formal recommendation to decision makers. In Table 2, the County's Rules of Procedure to Implement the Land Conservation Act of 1965 allow "Petroleum Extraction", subject to review and recommendations from the Review Committee.

**Project Location and Site Description**

The Excelaron/Mankins project site is located on the western side of Huasna Townsite Road, approximately one mile south of Huasna Road and 12 miles east of the City of Arroyo Grande in the Huasna-Lopez Planning area. The project site is located on the Mankins Ranch, most of which is under a land conservation contract. The contract was entered into in 1996 and includes approximately 1,131 acres. The property qualified due to its large acreage suitable for grazing and the cow-calf operation. The property continues to be used for cattle grazing and appears to be consistent with the provision of the land conservation contract. Much of the property is steeply sloping with chaparral and oak woodland throughout much of the ranch.

Only a portion of the proposed project is actually located on contracted land, most of the project will be located on adjacent non-contracted land.

**Project Description**

The project is currently being processed by the Current Planning Division of the Department of Planning and Building. As is often the case, the land owner is looking for

ways to supplement the farm income in a manner that would not jeopardize his land conservation contract and the overall cattle operation.

The project involves the following components:

### Extraction Area

The proposed extraction area includes 4 wells, the reactivation of 3 old wells currently not in use and a new well. The initial exploratory phase will involve these 3 old wells and is not located on contracted land. The new well would be located on adjacent contracted land. The wells themselves are located on pads and vary in size from about 12,000 square feet for a single pad to 29,000 for a double well site.

### Staging, Office and Parking Area

The shipping point is expected to consume about 6,000 square feet of surface area in an overall staging area which would consist of about one acre located on the portion of the ranch that is under contract.

### **Williamson Act Consistency Review**

Petroleum Extraction is listed under "RESOURCE EXTRACTION" in Table 2 of the Rules of Procedure. Petroleum Extraction is considered a compatible use but is noted with the following: "Applications for land use permits are subject to prior review and recommendations by the Review Committee." Staff interprets this use as an allowed compatible use that requires an assessment of the proposed use in relation to the existing agricultural use, the size of the property, the specific contract provisions and the overall impact on the agricultural capability of the contracted land.

The Rules of Procedure do not give specific size or area limitations for this land use, however the Williamson Act's principles of compatibility provide some guidance in this regard.

The three principles of compatibility are summarized below with staff discussion:

1) The long-term agricultural productivity of on-site and off-site contracted parcels will not be significantly compromised by the use.

*Staff Comments: While the wells, staging area and office will remove less than 2 acres from productive grazing land for the duration of the extraction period activity, this is a small impact area. Overall agricultural productivity can be maintained during the pumping activity and long term productivity will not be significantly affected. Agricultural activity on adjoining ranches is also unlikely to be affected. Any minor reduction in grazing land productivity can be largely restored in the long term by implementing mitigation measures for site restoration requirements that will be required as part of the conditional use permit conditions of approval/mitigation measures. Staff feels the long-term productivity will not be significantly impacted and the project is consistent with this principle.*

2) Agricultural operations of on-site and off-site contracted parcels will not be displaced by the use. However, uses that support agricultural production such as harvesting facilities, processing and shipping may be found to be compatible.

*Staff Comments: The project will involve a minimal but insignificant reduction of cattle grazing operations on contracted land. Adjoining agricultural operations on off-site contracted land are unlikely to be impacted due to the distances involved and the relatively low intensity of the project considering the remoteness of the properties in this area. Any impacts can be avoided by implementing appropriate mitigation measures. Staff feels that agricultural operations will not be significantly impacted and the project is consistent with this principle. The use is not itself in support of agricultural operations and is not compatible on that basis.*

3) Significant removal of contracted acreage as well as non-contracted land from agricultural, open space use or agricultural production will not result from the use.

*Staff Comments: The well pads, staging & shipping area will temporarily reduce agricultural production on contracted land by less than 2 acres. Because the proposed use is not significant in size relative to the overall 1,131 acre ranch and will not permanently remove agricultural production on contracted land, staff feels that the proposed use is consistent with this principle of compatibility.*

The Review Committee may wish to make a specific recommendation on the project relative to the three principles of compatibility.

### **RECOMMENDATION:**

Discuss and evaluate the proposed project's consistency with the Rules of Procedure and the principles of compatibility of the Williamson Act. Consider making a formal recommendation to the Planning Commission on this conditional use permit.

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