



Fw: Huasna Valley

Paul Teixeira to: cr_board_clerk Clerk Recorder, Joe Cortez
Sent by: Debbie Geaslen

05/08/2012 03:23 PM

Paul Teixeira
Supervisor District Four
(805) 781-5450
Fax (805) 781-1350
Email: pteixeira@co.slo.ca.us

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 03:22 PM -----

From: Amy Freeman <freeman.amyb@gmail.com>
To: fmecham@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us, pteixeira@co.slo.ca.us, jpatterson@co.slo.ca.us
Date: 05/08/2012 02:41 PM
Subject: Huasna Valley

Dear Supervisors,

I would like to encourage you to vote against the appeal by Excelaron to operate in the Huasna Valley. I have been a resident of San Luis Obispo County for the past 12 years and worked as an intern at Huasna Valley Farm 8 years ago. This experience allowed me to intimately know the beauty, serenity, responsible agriculture and intact wilderness of the Valley and it would be incredibly unfortunate to have the special nature of this part of our beautiful county spoiled by oil exploration and drilling. Please do not allow the Excelaron project to move forward.

Sincerely,
Amy Freeman
5253 Paseo de Vaca
San Luis Obispo, CA 93401

ITEM #20
MEETING DATE: May 15, 2012
PRESENTED BY: Amy Freeman
RECEIVED PRIOR TO MEETING
POSTED ON: May 9, 2012



Excelaron

Paul Teixeira to: cr_board_clerk Clerk Recorder, John McKenzie
Sent by: Debbie Geaslen

05/08/2012 03:23 PM

Paul Teixeira
Supervisor District Four
(805) 781-5450
Fax (805) 781-1350
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----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 03:23 PM -----

From: Randy Palmer <rpalmer@innotek.com>
To: "pteixeira@co.slo.ca.us" <pteixeira@co.slo.ca.us>
Cc: dgeaslen@co.slo.ca.us
Date: 05/08/2012 11:24 AM
Subject: Excelaron Conditional Use Permit

Dear Supervisor Teixeira,

Please accept the attached letter in support of The Excelaron LLC Conditional Use Permit.

Thank You,

William Palmer



SLO BOS Teixeira5-8-2012004.pdf

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 03:23 PM -----

From: Tim Palmer <tpalmer@bomusd.org>
To: "pteixeira@co.slo.ca.us" <pteixeira@co.slo.ca.us>
Date: 05/08/2012 12:16 PM
Subject: Mankins Ranch Project

Good Day,

Thank you for your time in serving the people and the County. I teach American and California government at our local college and have many elected leaders come to speak in my classes. It is always a pleasure to allow my students to see that our officials are well studied and well intended and accessible. I appreciate your time in considering the Mankins Ranch Project.

Please read the attached letter as I believe it introduces my view on this matter clearly. I look forward to meeting you on Tuesday.



Sincerely, John "Tim" Palmer Hausna letter 5-8-12 Teixeira.doc

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 03:23 PM -----

From: "Lyn" <lynks@earthlink.net>
To: <bgibson@co.slo.ca.us>, <ahill@co.slo.ca.us>, <pteixeira@co.slo.ca.us>, <jpatterson@co.slo.ca.us>
Date: 05/08/2012 01:47 PM

ITEM #20
MEETING DATE: May 15, 2012
PRESENTED BY: Randy Palmer
RECEIVED PRIOR TO MEETING
POSTED ON: May 9, 2012

Subject: SLO BOS Re: Excelaron Appeal Hearing

The Proposed Oil Exploration and Production Project by Excelaron in the Huasna Valley is Not a Good Fit for the HUASNA VALLEY COMMUNITY

...Because of Fire

The risk of fire in the Huasna Valley is increased many times by the proposed stored fuels and diluents, the use of fuels and diluents and the transportation of oil, fuels for heating water for the extraction process, running various equipment during the operations.

At the same time, the response time to such a rural area is given by CalFire as more than ½ hour.

Water needed for on-site fire fighting may be inadequate as proposed and does not have a sure source.

...Because of Noise

The Huasna Valley is known to be exceptionally quiet. I am sure you have witnessed that for yourself. It is unavoidable that the increased operations of equipment including traffic during drilling, reworking of wells, and general operation will add considerable noise to the valley. The inversion layer often present would only trap the noise in the valley.

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...Because of Air Quality

It is not just odors inevitably present with oil drilling and exploration and accompanying traffic, but the toxins and carcinogens that are found with the odors that endanger the quality of life in Huasna Valley. Do you know of any operating oil field that does not have odors and therefore carcinogens and other toxins?

The project proposes to burn 500 gallons of diesel per day, day after day during drilling operations for exploration, production and reworking, which produces a lot of carcinogenic PM10 pollution, especially with the inversion layer present in inland coastal valleys such as Huasna.

...Because of Traffic

Even with the Porter Ranch Route proposed, support vehicles will still use the narrow, Townsite Road with its winding grade. Also, it was found that the oil tankers are not bound by the permit agreements and could use whatever route they choose.

Those who live from the Mankin's Ranch to Huasna River, will also bear full brunt of the traffic, including oil tankers and drill rigs.

...Because of Risks to the Water Supply

Contamination of groundwater by the tar is a risk.

Contamination of groundwater by the diluents and fuels is more of a risk. The groundwater is our only water supply. No one and no animals live out here without sufficient water. Most valley residents get their water within a half mile of Mankin's Ranch.

Is there really any such thing in nature as always perfectly impermeable layers of rock?

Please support the recommendations of the Planning Commission Staff which has done an exhaustive and extensive study of the proposed project and recommended denial of the project.

Please support the decision of your Planning Commission which has duly and carefully reviewed all information at hand.

Please support the recommendation of the Huasna Valley Residents, the majority of whom do not think the proposed project would benefit their community or their county. Joe and I are among those who moved to San Luis Obispo County because of Huasna.

Oil in Huasna is not a good fit.

Oil in Huasna is contrary to the established use and lifestyle and community values of Huasna Valley. That lifestyle is why we moved to San Luis Obispo County.

Oil is not compatible with the established ranching, farming, raising families, or retiring in a quiet, peaceful, pristine, successful community.

The proposed project is of no benefit to our community.

Joe Gerber and Lyn Schultz

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MEETING DATE: May 15, 2012
PRESENTED BY: Randy Palmer
RECEIVED PRIOR TO MEETING
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Huasna Valley

May 7, 2012

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 03:23 PM -----

From: "Lyn" <lynks@earthlink.net>
To: <fmecham@co.slo.ca.us>, <bgibson@co.slo.ca.us>, <ahill@co.slo.ca.us>, <pteixeira@co.slo.ca.us>, <jpatterson@co.slo.ca.us>
Date: 05/08/2012 01:58 PM
Subject: SLO BOS re: Excelaron Appeal Hearing

The Proposed Oil Exploration and Production Project by Excelaron
in the Huasna Valley is Not a Good Fit for the COMMUNITIES
SURROUNDING THE HUASNA VALLEY

...Because of Traffic

It is certain that traffic would be increased along Huasna Road due to support vehicles if the project were to be approved. That would negatively affect about 200 residents including those along Huasna Road as well as the Village of Arroyo Grande.

It is our understanding that the oil legally belongs to the refining company and the oil trucks would not be legally bound by any agreement between Excelaron and the county of San Luis Obispo and therefore could use Huasna Road if they so desired.

...Because of Increased Fire Danger

With the extended response time to rural Huasna and the highly

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increased risk of fire surrounding the proposed project, any fires would not necessarily be confined to Huasna Valley. Suey Canyon and other areas would become at much greater risk.

...Because of Water Issues

Does it make sense for oil tanker trucks to be allowed travel in a water reservoir? (Twitchell Reservoir in this case) Especially when the area in question floods easily and any roads can fast become a serious danger for heavy equipment? Recall that more than one rancher has had trouble with heavy equipment sinking in muddy areas even with road bases thicker than those proposed at Porter Ranch if the project were to be approved. What happens to the tar and attendant diluents if an oil truck sinks in the reservoir?

It cannot be guaranteed that water wells in areas within several miles of the proposed drilling would not be adversely affected, especially in an area prone to some earthquake activity.

Where would the water come from for firefighting purposes, either for on site storage tanks or to put out any fires?

PXP in Price Canyon has had much more produced water than expected. If this likely event should happen in the Excelaron project, would this mean drilling more wells, or trucking water out (unanticipated traffic increase), or contamination of soils around the proposed area as happened in Price Canyon, or necessitating the installation of a reverse osmosis filtration system (more noise, air quality deterioration, traffic, etc.)

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Very few local jobs would be generated by this project. Local businesses would receive more benefits from continued use of the valley as it is.

The few solar panels that might come of the proposed project would not even benefit communities most affected by the drilling. In their current advertising Excelaron has reduced the proposed dollar per barrel to “something” (unspecified amount) per barrel.

Clearly, the risks outweigh any possible benefits. Many were surprised at the large community turnout from the very first public meeting. The attendees are not just immediate neighbors of the proposed project. They know it would compromise their lifestyle, too.

Please support the recommendations of the Planning Commission Staff which has done an exhaustive and extensive study of the proposed project and recommended denial of the project.

Please support the decision of your Planning Commission which has duly and carefully reviewed all information at hand.

Please support the recommendation of the Huasna Valley Residents, the majority of whom do not think the proposed project would benefit their community or their county.

Joe Gerber and Lyn Schultz

Huasna Valley

May 7, 2012

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 03:23 PM -----

From: "Lyn" <lynks@earthlink.net>
To: <fmecham@co.slo.ca.us>, <bgibson@co.slo.ca.us>, <ahill@co.slo.ca.us>, <pteixeira@co.slo.ca.us>, <jpatterson@co.slo.ca.us>
Date: 05/08/2012 02:02 PM
Subject: BOS Excelaron Appeal Hearing May 15

The Proposed Oil Exploration and Production Project by Excelaron
in the Huasna Valley is Not a Good Fit for the COUNTY OF SAN
LUIS OBISPO

...Because it is contrary to the General Plan of the County

...Because it is contrary to the main sources of revenue within the County

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Oil exploration and drilling in Huasna Valley are not compatible with the existing agriculture, tourism, and recreation in SLO County and would not increase revenue to the county. Property values and therefore property taxes would decrease.

There will be costs to the county with monitoring cleanup beyond what DOGGR would do, and risks of dealing with a financially insecure company and increased road maintenance.

San Luis Obispo is known as being one of the nicest places to live and visit. Tourism revenue is significant. Revenue from retirees is significant. Revenue from families is significant. People enjoy being here. Let us keep San Luis Obispo County the exceptional place it is.

...Because it has no significant benefit to the county or count residents

Tax revenue of tar vs. property taxes

Number of local jobs insignificant

Number of solar panels it would provide is questionable.

A study indicates that so far, oil in SLO County has been a break-even venture at best.

Once holes are punched in the ground, the County has very little, if any control what happens from there. Regulations by DOGGR and over-the-counter permits then apply.

The amount of oil Excelaron might possibly produce would be extremely small

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in comparison to consumption in the US and therefore have no noticeable effect on gasoline prices.

Please support the recommendations of the Planning Commission Staff which has done an exhaustive and extensive study of the proposed project and recommended denial of the project.

Please support the decision of your Planning Commission which has duly and carefully reviewed all information at hand.

Please support the recommendation of the Huasna Valley Residents, the majority of whom do not think the proposed project would benefit their community or their county. Several of the Huasna Valley Residents are delaying larger home building projects pending the outcome of the Excelaron oil exploration/drilling issue. One family is moving out of the county.

Joe Gerber and Lyn Schultz

Huasna Valley

May 7, 2012

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POSTED ON: May 9, 2012

Supervisor Paul Teixeira
San Luis Obispo County Board of Supervisors
1055 Monterey Street, Suite D430
San Luis Obispo, Ca. 93408

May 8, 2012

Via email: Supervisor Paul Teixeira - pteixeira@co.slo.ca.us

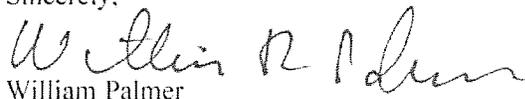
Re: May 15, 2012 Board of Supervisors Hearing for
Excelaron LLC (Mankins) Conditional Use Permit

Dear Supervisor,

Individual property rights are vital to a free and fair democracy. The right to own land and to exercise control over that land is fundamental to a strong and economically sound society. Without ownership, one is always at the mercy of others who may choose to levy excessive taxes or to evict tenants altogether. When a person owns something, they take care of it because their future lies with that ownership. Ownership however, is not without responsibility. Property owners have a duty to be good neighbors to others, as well as an obligation to the larger community. First, they must be good citizens. They must not deliberately, or without just cause, diminish or otherwise restrict the rights of their fellow citizens' ownership. Second, while it is a favorite pastime of a people blessed with that right, to complain about government and taxes, we nevertheless need, and must be willing to pay for, a structure to reasonably and responsibly administer and adjudicate the laws to which we have collectively agreed. So, part of our responsibility as owners is the payment of property taxes, whether surface or mineral. With ownership comes rights....and responsibility. One cannot expect to have one without the other.

I am an owner of mineral rights in the Huasna area. Our family has paid taxes on these rights when due, and I expect to do so in the future. Whether I live on that land as my father and grandfather did, or in San Luis Obispo, as I did while attending Cal Poly, or reside in Northern California as I do now, I still am still an owner. I would not expect to, nor would I wish to, direct a surface rights owner as to how he can exercise his rights. I respectfully request the same courtesy and ask that you approve this conditional use permit. Thank you.

Sincerely,


William Palmer

ITEM #20
MEETING DATE: May 15, 2012
PRESENTED BY: Randy Palmer
RECEIVED PRIOR TO MEETING
POSTED ON: May 9, 2012

Dear Supervisor Teixeira,

5-8-2012

This letter is regarding the Excelaron Project at Mankins Ranch.

My grandfather and his brother homesteaded in the Huasna area in the early 1880's. They worked hard to clear and fence the land to raise cattle and goats and develop an orchard to provide their livelihood. It was not an easy task to make a living in the rocky hills then and it is not now. Though oil had been discovered on the property and was actually seen rising to the surface over one hundred years ago, some rudimentary wells showed that it was too thick to be extracted in a cost effective way. My family certainly did not get rich and my grandmother had to sell the property in the 1940's due to the economy and taxes. She kept one half of the mineral rights on the land where the oil was known to be because she knew its value.

I have read the letters from the neighboring property owners about their concerns for the responsible development of these mineral rights and I agree with them. We must be good neighbors and do what we can to protect our community, our individual rights, and the value of our properties. Careless exploitation of property is a shameful thing and an environmentally dangerous practice. We all live on the land and survive from the benefits of the land. Good husbandry of the land and a careful livelihood from it are essential to our coexistence with it.

Each of us relies on the most basic rights of life, liberty and property. The difficulty and conflict that emerge are when our rights overlap one another's. Each of our rights is important to us and to our community.

The immediate mediator and protector of these rights are the oversight powers of the county through you, our County Supervisors. If it can be assured that all of our rights are equally ensured through a careful land use plan, then, and only then, can we be assured that our ways of life and all of our land values and livelihoods are safeguarded. It would be an unequal treatment for one's rights to be afforded and another's denied.

My grandfather lived in a very quiet world. There were no cars or electric lights when he opened seventeen gates to get to town on the road that he and his neighbors maintained. The ranches were far and wide between. Our family has held on to and maintained the mineral rights that he homesteaded while houses and roads, business and communities have made changes to the area. During this 130 year timeframe our family's expectations have been maintained through decades of leases and mineral mapping. New technologies now allow the long held rights to be exercised in a productive and reasonable manner. This undertaking is not a rash or imprudent thing to do, but a careful and conscientious continuance.

Thank you for your consideration and understanding of my family's enjoyment of our long held heritage.

Respectfully submitted,

John T. Palmer

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MEETING DATE: May 15, 2012
PRESENTED BY: Randy Palmer
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Fw: Vote on Excelaron's proposal

Paul Teixeira to: cr_board_clerk Clerk Recorder, John McKenzie
Sent by: Debbie Geaslen

05/08/2012 04:34 PM

Paul Teixeira
Supervisor District Four
(805) 781-5450
Fax (805) 781-1350
Email: pteixeira@co.slo.ca.us

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/08/2012 04:34 PM -----

From: Steve Yarbrough <sbbyarbrough@verizon.net>
To: pteixeira@co.slo.ca.us
Cc: dgeaslen@co.slo.ca.us
Date: 05/08/2012 04:31 PM
Subject: Vote on Excelaron's proposal

May 7, 2012

San Luis Obispo County Board of Supervisors
1055 Monterey Street, 4th Floor
San Luis Obispo, CA, 93408

Dear Supervisor Teixeira:

I am writing to ask you to overturn the recommendation of the Planning Commission to deny Excelaron's proposed oil project on the Mankins Ranch in the hills above the Huasna Valley.

First, a bit of my history. As a descendant of Francis Zeba Branch, who founded Arroyo Grande in 1836, I have strong ties to this area. In fact, my family contributed greatly to the development and protection of the land in question. One only has to visit the Arroyo Grande Historical Society Museum and School House to be reminded of the impact the Branch descendants have had on the region. (As a point of interest, my Aunt Billie Swigert was instrumental in preserving this history of Arroyo Grande, a history that included oil exploration and drilling.) History shows my family was, and will continue to be, good stewards of the area--preserving the past, living in the present, and looking toward the future.

Now, the present. When I was first approached by Excelaron, I was very concerned about the environmental ramifications of drilling in this area. As a result, I hired an attorney to review the proposal. I made it clear that my biggest concern was any potential environmental damage. After working with Excelaron, Mr. Rod Reynolds assured me this company was reputable and responsible. Excelaron would follow all environmental regulations as required by the State of California.

Indeed, Excelaron has answered every concern generated by the Environmental Impact Report, researched and written by Marine Research specialists whom San Luis Obispo County chose as an unbiased third party. I will not go into detail regarding the concerns and mitigations offered by Excelaron since that information is available to you. I am mystified, however, how the Planning Commission could vote against the

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PRESENTED BY: Barbara Yarbrough
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proposal when Excelaron has mitigated all EIR concerns. As you know, Marine Research followed the guidelines of the California Environmental Quality Act, the most stringent in the country.

In addition, all current landowners knew when they purchased properties that the mineral rights were owned by others. Apparently, they were not concerned about oil exploration or they would have bought land elsewhere. Now, when there is a responsible company like Excelaron attempting to develop assets for the benefit of both citizens and mineral rights owners alike, some of these residents are mounting a strong and untenable opposition to this project.

As to the future, I believe the viability and success of the United States of America hinges on our ability to find balance and compromise amongst our citizens and governing bodies at every level. People are frustrated by extreme, unbending, and irrational positions taken by the majority of leaders. None of the many problems facing this nation will be solved without a number of different solutions. You are already familiar with the many benefits Excelaron will bring to San Luis Obispo county and its people. I need not remind you.

Your decision must be based on the EIR and Excelaron's mitigation measures. In the case of Excelaron's proposed oil production, the benefits far outweigh any minor, temporary inconvenience to the people of Arroyo Grande and the Huasna.

Sincerely,

Barbara Yarbrough

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MEETING DATE: May 15, 2012
PRESENTED BY: Barbara Yarbrough
RECEIVED PRIOR TO MEETING
POSTED ON: May 9, 2012



Fw: Excelaron vs. Huasna

Paul Teixeira to: Frank Mecham, Bruce Gibson, Adam Hill,
James Patterson, cr_board_clerk Clerk
Recorder, John McKenzie

05/09/2012 09:52 AM

Sent by: Debbie Geaslen

Cc: Vicki Shelby, Cherie Aispuro, Susan Devine, Amy Gilman

Paul Teixeira
Supervisor District Four
(805) 781-5450
Fax (805) 781-1350
Email: pteixeira@co.slo.ca.us

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/09/2012 09:51 AM -----

From: Diane Moody <mscapriccio@yahoo.com>
To: "pteixeira@co.slo.ca.us" <pteixeira@co.slo.ca.us>
Date: 05/08/2012 07:04 PM
Subject: Excelaron vs. Huasna

Dear Supervisor Teixeira,

I am writing this letter because of my deepest concern about the possibility of oil drilling in the Huasna area.

My husband and I bought our 10-acre parcel on Bobcat Lane about 26 years ago. We then built our dream home and have loved every minute spent in the Huasna area. We bought our property because we wanted to live in the peace and quiet of country life. Now we are facing the potential of living next to an oil field with the probability of disaster on our front door step. Some of the negative impacts we would be dealing with are surface water contamination, noise, odors, traffic, fire safety, land use, aesthetics and more. All of these impacts would greatly affect the health, safety, and welfare of the entire Huasna area.

Another issue, if safety isn't enough, is our property values would greatly drop in price. Would you choose to buy property next to an oil field??

I am hoping that you have done your homework before you make a decision regarding Huasna being used for oil exploration. I urge you to listen to Carlyn Christianson's words from the March Planning Commission Meeting. I echo her thoughts that this project is fundamentally inconsistent with the Huasna neighborhood. I also would ask that you come out to Huasna and see for yourself the beauty that we are surrounded with. Carlyn said that she would choose Huasna's clean air, quiet days, dark nights, pristine existence, and abundant wildlife. I am hoping that you will agree with her.

This oil project was found to be inconsistent with the San Luis Obispo County General Plan and was denied by the Planning Commission on March 8, 2012. Your decision should be an easy one. Please listen to the facts, and to the emotions of our hearts.

Thank you for your time,

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MEETING DATE: May 15, 2012
PRESENTED BY: Wayne and Diane Moody
RECEIVED PRIOR TO MEETING
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Wayne and Diane Moody

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PRESENTED BY: Wayne and Diane Moody
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POSTED ON: May 9, 2012



Fw: Huasna Valley

Paul Teixeira to: cr_board_clerk Clerk Recorder, John McKenzie
Sent by: Debbie Geaslen

05/09/2012 09:53 AM

Paul Teixeira
Supervisor District Four
(805) 781-5450
Fax (805) 781-1350
Email: pteixeira@co.slo.ca.us

----- Forwarded by Debbie Geaslen/BOS/COSLO on 05/09/2012 09:53 AM -----

From: Jacki Seibert <jacki_seibert@hotmail.com>
To: <fmecham@co.slo.ca.us>, <bgibson@co.slo.ca.us>, <ahill@co.slo.ca.us>, <pteixeira@co.slo.ca.us>, <jpatterson@co.slo.ca.us>
Date: 05/09/2012 09:05 AM
Subject: Huasna Valley

Board of Supervisors,

We are sending this email in response to the oil drilling proposal by Excleron in the Huasna Valley.

We have been home owners in the Huasna Valley for ten years and moved to the area for the beauty, serenity and peacefulness of the valley. To allow this company to come into the valley and disrupt everyone's current way of life, would be a shame. Not to mention, their use of our ground water, threat of fire, wildlife and vegetation that would be affected along with the extra traffic on our little two-lane road.

Please do not let them proceed with their plan to ruin our beautiful, serene, living environment.

Dave and Jacki Seibert
6251 Huasna Townsite Road

Arroyo Grande

ITEM #20
MEETING DATE: May 15, 2012
PRESENTED BY: Dave and Jacki Seibert
RECEIVED PRIOR TO MEETING
POSTED ON: May 9, 2012



excelaron correspondence

Fran Zohns to: cr_board_clerk Clerk Recorder
Cc: John McKenzie

05/09/2012 01:14 PM



doc20120509100941.pdf

Fran Zohns
Board of Supervisors
San Luis Obispo County
(805)781-5450

ITEM #20
MEETING DATE: May 15, 2012
PRESENTED BY: Elvira Rodriguez
RECEIVED PRIOR TO MEETING
POSTED ON: May 9, 2012



A PROFESSIONAL CORPORATION

EACH SUPERVISOR
RECEIVED COPY

May 8, 2012

D246.2

VIA FED-EX

Honorable Frank R. Mecham
Honorable Bruce S. Gibson
Honorable Adam Hill
Honorable Paul Teixeira
Honorable James R. Patterson
The San Luis Obispo County Board of Supervisors
County of San Luis Obispo
1055 Monterey Street, 4th Floor
San Luis Obispo, California 93408

RECEIVED

MAY - 8 2012

Board of Supervisors
San Luis Obispo County

Re: *Excelaron (Mankins) Conditional Use Permit Application
Huasna Valley Oil Exploration and Production Project*

Dear Honorable Board of Supervisors,

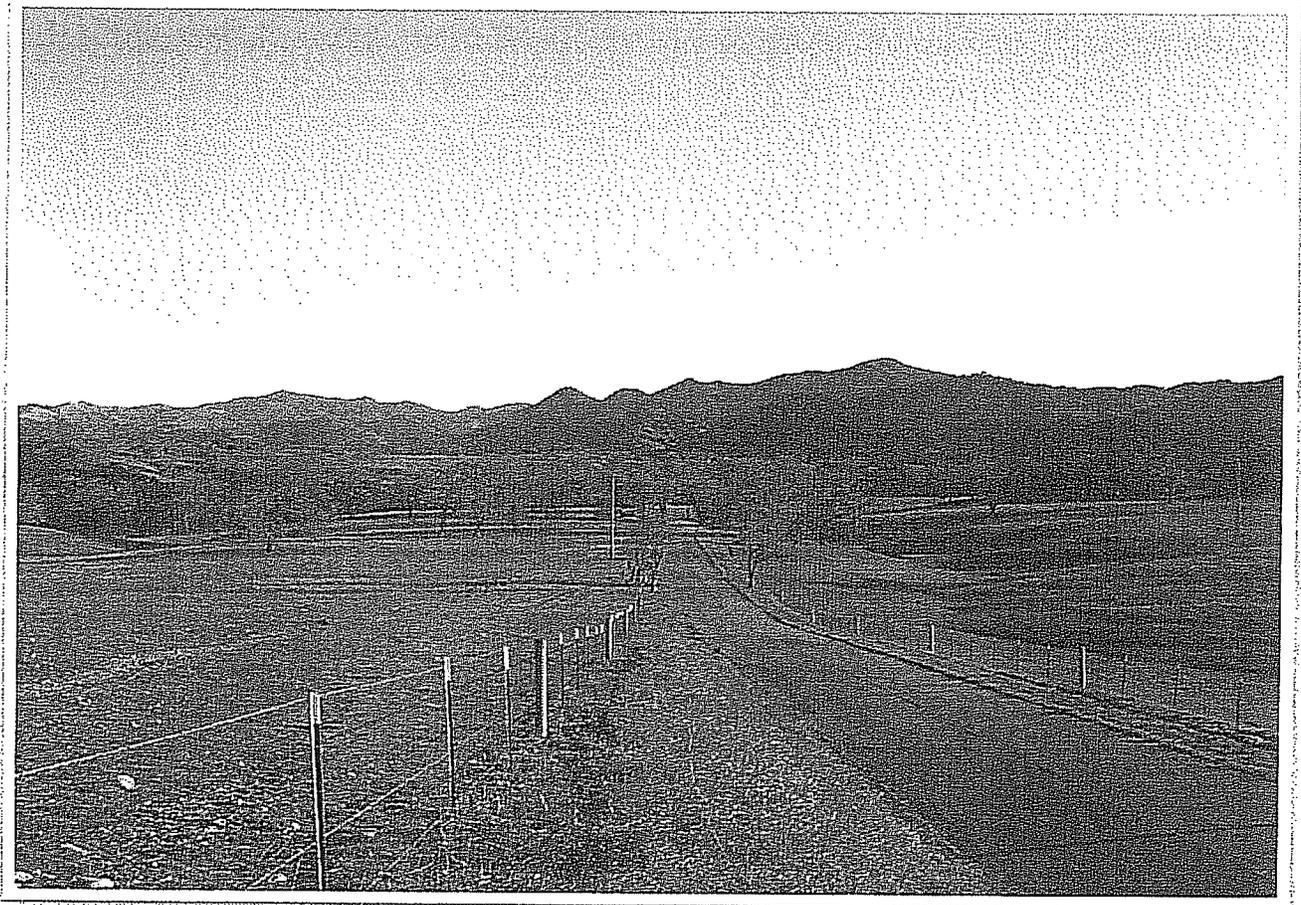
Since mid-2011, my firm and I have worked with In-N-Out Burgers, Inc. to assist in analyzing the Excelaron project and preparing an opposition to Excelaron's application for a Conditional Use Permit. We have provided the County of San Luis Obispo with comments on the Draft Environmental Impact Report and the Final Environmental Impact Report, and we have grown to know the scientific and non-scientific particulars of the project. Over the course of the past year, we have come to realize that whether the analysis is of a scientific nature or not, the result is the same: the guaranteed substantial costs of the proposed Excelaron project substantially outweigh the minimal and uncertain benefits.

To summarize our work on the project, we thought it would be helpful to provide the Board of Supervisors with a list of the top ten reasons why the Board of Supervisors must deny Excelaron's application for a Conditional Use Permit. The "Top Ten" are as follows:

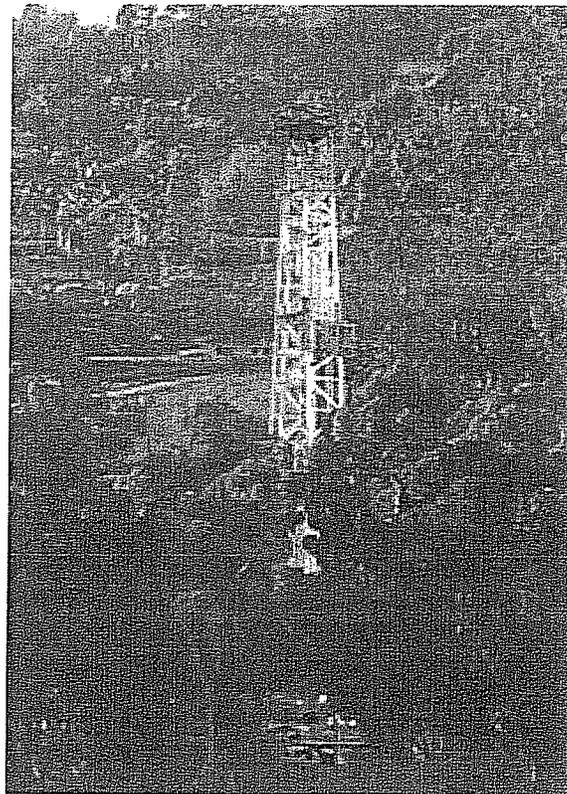
1. **THE EXCELARON PROJECT WILL CHANGE THE HUASNA VALLEY FOREVER**

The impact of the Excelaron project on the Huasna Valley cannot be conveyed by reading an Environmental Impact Report, or even by reading the dozens of comments written by local landowners in opposition to the project. The *only* way to fully understand the whole story is to venture down to the Huasna Valley, as I did for the first time in October 2011, and listen to the silence, interrupted only by the sounds of the birds.

During my six or so visits to the Valley, I have seen herds of wild boar, deer, hawks, and more wild turkeys than I have ever seen in my whole life (and I have spent a good deal of time in the woods and swamps of Georgia and South Carolina). I've driven down to the bridge that crosses the Huasna creek and looked down the Porter Ranch Road where I could not see a single building or vehicle of any kind. It is so peaceful and beautiful.



Imagine, instead, the sights, sounds, and smells of construction traffic and oil tankers rolling through the Valley. Imagine the sights, sounds and smells of the 24 hour drilling and oil extraction operations—the unsightly drilling rigs (115 feet tall!), the constant banging of machinery, and the smell of hydrocarbons as they fill the air and pollute the Valley. Is this what we want for this pristine corner of San Luis Obispo County so that Excelaron might extract a few barrels of oil? We think not. For this reason, the top reason why the Board of Supervisors must deny Excelaron’s application for a Conditional Use Permit is that Excelaron’s oil drilling will change the character of the Huasna Valley *forever*.



2. THE STAFF DECLARED THEIR POSITION: THE PLANNING COMMISSION SHOULD REJECT EXCELARON’S APPLICATION TO DRILL IN THE HUASNA VALLEY

The Planning Commission Staff recommended that the Planning Commission deny Excelaron’s application for a Conditional Use Permit. This speaks volumes. The Staff, which spent countless hours analyzing this project, found that the project is inconsistent with the San Luis Obispo County General Plan and the provisions of Title 22. Moreover, the Staff found that the project will be detrimental to the health, safety, and welfare of the general public.

detrimental to property in the vicinity. The Staff said the fire hazard created by the project and the project's inconsistency with the visual character of the area, combined with the water and traffic issues created by the project, meant that the Excelaron project was a bad idea for the Huasna Valley. For these reasons, the Staff recommended that the Planning Commission deny Excelaron's application. The Board of Supervisors should do the same.

3. **THE PLANNING COMMISSION TOOK THE STAFF'S RECOMMENDATION AND REJECTED THE PROJECT**

The San Luis Obispo County Planning Commission shot down oil drilling in the Huasna Valley by a vote of 4-1. Planning Commissioner Carlyn Christianson took the strongest stance in opposition to the project. At the March 8, 2012 hearing, Commissioner Christianson stated:

It just doesn't make sense to me. ... Oil just doesn't go with the Huasna Valley. It hasn't in the past, and shouldn't in the future.

Commissioner Ken Topping was also solidly against the project. His main objection was fire danger. Commissioner Tim Murphy was concerned most about noise, with a secondary concern about the compatibility of oil production with the Huasna Valley. Planning Staff and several other Planning Commissioners were unsympathetic to the possibility of approving only Phase I, the exploratory phase, of the project. The Commission ultimately concluded that limiting the permit to exploration would not solve the many problems associated with eventually going into full production. Further, although the Planning Commission discussed many aspects of the project and possible ways to mitigate them, the Commission ultimately concluded that the proposed Excelaron project did not belong in the Huasna Valley.

4. **PUBLIC OPPOSITION TO THE PROJECT IS PROFOUND AND THE HUANSA VALLEY ASSOCIATION STRONGLY OPPOSES IT**

Hundreds of pages of written comments were submitted in opposition to the Excelaron project and public comment at the February 23 and March 8, 2012 Planning Commission meetings was 5-1 against the project. Most of the speakers at the hearings were Huasna Valley residents, many of which were members of the Huasna Valley Association, who said oil production would destroy the idyllic quality of the area.

The Huasna Valley Association is a group of residents of the Huasna Valley (and neighboring communities). The Association's mission statement is:

to assure that production of the Huasna oil field meets our community standards to preserve the agricultural setting of the Huasna Valley, protect the environment from water, air, and noise pollution, and ensure the health, safety and welfare of our community.

The intent of the Huasna Valley Association is not to oppose oil drilling in general or oil drilling in the Huasna Valley. However, because the proposed Excelaron project has such a dramatically negative impact on the Valley, with no guaranteed benefit, the Huasna Valley Association is vehemently opposed to it.

5. **THE IMPACTS ON THE ROADS IN THE HUASNA VALLEY WILL BE SUBSTANTIAL AND UNPREDICTABLE IN INCLEMENT WEATHER**

The environmental impacts of the Porter Ranch Road route or the Huasna Townsite Road route are substantial. Noise, disturbance of vegetation, damage to riparian and oak woodland habitats, and truck generated pollution were some of the potential impacts identified at the Planning Commission hearings, in the Staff report, and in the Final Environmental Impact Report.

In-N-Out commissioned a study by Mr. J. Patrick Kapp, C.E. of the actual requirements for improvements to the Porter Ranch Road route in order to accommodate the types of traffic anticipated by the Excelaron project. Mr. Kapp's comments were submitted to the Planning Commission in a letter dated March 2, 2012. The Staff responded to Mr. Kapp's findings on March 6, 2012 in a written report. Mr. Kapp has since responded to the Staff's comments. His responses are enclosed with this letter. In short, Mr. Kapp stands by the conclusions in his March 2, 2012 letter, that is, that the required modifications to the Porter Ranch Road route, which are necessary to support the Excelaron project, have been *grossly* understated.

6. **THE EXCELARON PROJECT WILL SUBSTANTIALLY INCREASE THE FIRE DANGER IN THE HUASNA VALLEY**

By nature, oil extraction presents an increased risk of fire danger: the process involves crude oil and propane. As the Staff Report makes so clear, "this project is within a 'Very High Hazard' designation which includes steep terrain with vegetation containing a heavy fuel load and considered highly flammable." The primary responder is a CalFire station is about 40 minutes away. Further, if the Porter Ranch Road is closed as a result of Twitchell Reservoir flooding (more on this below), Huasna Road will be the only way in and out of the area, thereby eliminating secondary access for CalFire to respond to fire and/or life safety calls. Further, no on-site well is proposed. Therefore, even if a 360,000 gallon tank is installed, no additional water would be available during a fire event, thereby increasing the potential for a resulting catastrophic fire, should a fire start within the project boundaries.

7. **THE PROJECT COULD HAVE IRREVERSIBLE NEGATIVE IMPACTS ON HUASNA VALLEY WILDLIFE AND PROTECTED SPECIES**

The potential for a truck accident or oil spill near a sensitive riparian area is a significant and unavoidable environmental impact. The Planning Commission Staff confirmed this, and further stated that an oil spill or accidental gas release has the potential to "irreversibly impact resources." Even with mitigating factors such as emergency response plans and adequate design

and operating procedures, the Staff concluded, "the potential remains for irreversible damage as a result of an accident associated with the operation of the proposed project." (See Staff Report 5-10.) If such a spill occurred, it would likely impact the California red-legged frog and other sensitive aquatic species that are known to exist in the nearby waterways.

8. **THE NOISE IMPACT FROM THE PROPOSED PROJECT CANNOT BE MITIGATED**

The project will introduce new and permanent nighttime noise in a very quiet and rural neighborhood. Certain activities, such as well drilling, will exceed the parameters of Title 22 which are intended to protect against excessive noise levels because they can interfere with sleep, communication, relaxation, and full enjoyment of one's property.

The Excelaron project will require continuous drilling, 24 hours a day, to install each well during Phase I of the project. Also, as many as 13 nearby residences would experience noise exceeding the acceptable nighttime threshold levels. Many of the residents who spoke against the project at the March 8, 2012 Planning Commission hearing talked about the profound quiet of the valley and how even small noises can travel long distances. For this reason, the Staff concluded that no feasible or practical mitigation measures are possible to reduce this impact to within acceptable limits. Simply put, the 24 hour drilling and lack of feasible mitigation measures means that the project is just too noisy.

9. **ODOR EVENTS AND TRUCK-GENERATED DUST AND POLLUTION WILL NEGATIVELY IMPACT THE AIR QUALITY**

Planning Commissioners and the public criticized the project's potential to create odor events during drilling activities and during unplanned releases or upset conditions. Many residents also spoke about the high volume of trucks needed to complete Phase I of the project, and then extract and transport the oil product during Phase II of the project. The high volume of trucks would not only increase dust in the area, but also pollution from the high volume of trucks to and from the project site.

10. **FLOODING OF THE PORTER RANCH ROAD ROUTE IS GUARANTEED, THEREBY RENDERING IT IMPASSIBLE TO TRUCKS AND INCREASING EMERGENCY RESPONSE TIMES**

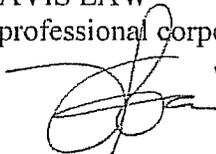
The 6-mile Porter Ranch Road route *will* flood when the nearby Twitchell Reservoir fills above 599 feet. This happens approximately once every 5 years. During that time, portions of Porter Ranch Road have been submerged between 8 and 343 days per occurrence. Additionally, the Staff reported that large single-event storms could cause road washouts along the Porter Ranch Road route, with repair times varying from days to months.

In the event of a road closure due to flooding, the Staff reported that oil extraction would cease. Further, if the flooding lasts several days, oil stored in the on-site tanks will to be hauled out using Huasna Road, thereby substantially increasing the use of Huasna Road by tanker trucks and other larger vehicles used in the oil extraction process. Importantly, the Huasna Road is a narrow and rural road with tight turns that are not navigable by large trucks within their own lane. Thus, use of Huasna Road by large tanker trucks is dangerous, particularly since the road is used extensively by bicyclists. Finally, the Staff concluded that the temporary closure of Porter Ranch Road will affect CalFire's ability to respond to fire and life safety calls. Given the uncertain nature of the project's oil yield, the safety risks *far* outweigh the benefits.

In conclusion, I will note that over approximately the past year, we have provided the County with a substantial volume of paperwork reflecting our comments, and the comments of our scientific experts. In lieu of providing copies of our work product with this letter, please know that we are happy to provide the Board with copies upon request. I hope this letter helps the Board realize that the Excelaron project is a bad fit for the Huasna Valley. For the reasons addressed herein, we respectfully request that the Board deny Excelaron's application for a Conditional Use Permit.

Very truly yours,

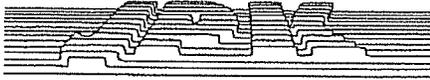
DAVIS LAW
a professional corporation



THOMAS P. DAVIS

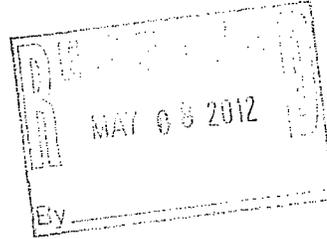
Enclosure

cc: Arnold Wensinger, Esq.
(via email only – with enclosure)



J.P. Kapp Civil Engineers

81601 Rustic Canyon Drive
La Quinta, CA 92253
Phone: 760 564 7370
Email: pat.kapp@jpkapp.com



May 4, 2012

Mr. Thomas Davis, Attorney at Law
Davis Law, APC
580 Broadway, Suite 204
Laguna Beach, CA 92651

**Subject: Huasna Valley, Excelaron Draft Environmental Impact Report
DRC2009-00002 Excelaron/Mankins, Huasna
Response to Memorandum dated March 6, 2012
San Luis Obispo County Department of Public Works
From: Glenn Marshall, Development Services Engineer,
To: John McKenzie, Project Manager**

Dear Mr. Davis:

The following is a point by point review of the subject March 6, 2012 memorandum:

Comments on March 2, 2012 Letter by J.P. Kapp, P.E.

Point number 1:

The proposed access route utilizes both County and private roadways. The proposed use of these roadways is for a major industrial use and is far from an "access road and driveway." The County certainly has the final say in the matter but for the County to relegate the design standards to Cal Fire is a dereliction of the County's duties to provide for the welfare and safety of the community. The County is required to review both phases provided by the applicant and to evaluate the impacts in the context of a successful Phase I, and the commencement of Phase II.

Point number 2:

The access route and petroleum haul route proposed by the applicant utilizing Huansa Town Site Road, Porter Ranch Road and Alamo Creek Road was a clear choice to avoid the use of Huasna Town Site Road, Huasna Road and State Route 227 through the City of Arroyo Grande. The County cannot turn a blind eye to the fact that the construction equipment, and ultimately the petroleum hauling equipment, require roadways constructed to SLO County Standards in the use of public roads, and then allow the applicant a lesser, and more dangerous standard, because a portion of the roadway is private. The County cannot relegate its duty to provide for the safety, welfare and health of the community for this very intense use proposed by the applicant.

Point number 3:

The evaluation provided by the undersigned reviewed the alignment of the roadway based on the construction equipment required for the applicant's Phase I proposal, and the resultant impacts and a second evaluation is provided for Phase II in the event of a successful explorations.

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Point number 4:

This statement is irrelevant. As stated above, the County cannot relegate the design standards to Cal Fire. The Phase I roadway will be used around the clock daily by construction equipment during the exploration stage. The County must evaluate this phase from the aspects of:

- remedial drainage control systems;
- reducing and controlling erosion;
- Best Management Practices noted in the Water Quality Management Plan that will be required for this project;
- the impacts on the Twitchell Reservoir;
- the impacts on the resource area;
- numerous other aspects beyond the scope of the evaluation prepared by the undersigned.

The commentary provided by the undersigned is offered in an effort to address some of these aspects. The County must demand of the applicant to address these aspects with the preparation of detailed civil engineering plans and other documents prior to approval of the project. This will be an intensely used roadway connecting two major corridors, not a fire access road, used occasionally by residents. Cal Fire does not have the staff to guide the applicant through this design process. The County must take its proper role to protect the safety, welfare and health of the residents of this area.

Comments on February 12, 2012 "Commentary" prepared by J.P. Kapp, P.E.

Point Number 1, Mile 1:

The undersigned recognizes that negotiations for off-site improvement result in changed conditions of approval as the project progresses. The recommendation contained in the "Commentary" were based on the SLO County Public Works Department recommended Conditions of Approval dated October 20, 2009 wherein the recommendations for Alamo Creek Road included left turn channelization and widening of westbound SR166.

Points Number 2 and 3, Miles 2 and 10:

The undersigned also recognizes that the applicant can bring significant pressure to avoid improving streets. SLO County is welcome to cede to that pressure to allow the applicant to avoid improving currently inadequate roadways. The County is also welcome to allow the applicant to utilize existing roadways that do not meet current SLO roadway standards. SLO County will therefore have to accept the consequences of wavering on its right to demand improvements on public roadways that will be significantly impacted by the Phase I traffic and, in the event of a successful exploration, the increased impact of the petroleum hauling equipment for Phase II thus affecting the safety, welfare and health of the surrounding community. The undersigned recommends otherwise.

Point Number 4, Mile 3 to 8:

As discussed earlier, relegating the jurisdiction for the construction of an industrial roadway is a dereliction of the duties of the San Luis Obispo County Public Works to provide for the health, safety and welfare of the community. This is far from a private road. It is a roadway to be used as a throughway by a third party to gain access to a public highway and roadways or access to a petroleum exploration site. It is a critical link for the applicant. In the event it did not exist, then public roadways operated and

J.P. Kapp Civil Engineers

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maintained by San Luis Obispo County would be necessary for the implementation of applicant's business plan.

The commentary prepared by the undersigned addresses the impacts for the preparation of the roadway for use by construction equipment, the modifications necessary for the construction equipment to utilize the roadway, and an aggregate base to reduce the impact of the roadway on area through which it passes including the Twitchell Reservoir inundation zone.

Point Number 4, Mile 9:

The undersigned concurs that the applicant has the duty to prove that the equipment proposed will not harm the existing structure. The commentary provides a bridge option that will minimize impact to the Huasna River resource area as well as provide a phasing plan. It will be the duty of the applicant to select the option and acquire the necessary approvals.

The closing paragraph:

It is true that the undersigned did not visit with the Public Works staff. The San Luis Obispo County Department of Public Works certainly has the right to disagree with the commentary prepared by the undersigned. The EIR and the SLO Standards provided adequate foundation for the preparation of the commentary. The commentary contained exhibits, calculations and notes for each mile of the access roadway and therefore the undersigned stands behind the area of disturbance noted therein.

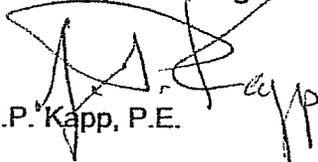
This memorandum fails to address the following issues:

- The impact of the access road through the Twitchell Reservoir inundation zone;
- The documentation for the agreement for use of the roadway through the Porter Ranch;
- The impact of the roadway as it passes through resource zones;
- The application should be evaluated in the context of a successful exploration phase and the improvements necessary for the production phase;
- The necessity for the roadway be evaluated utilizing San Luis Obispo County Public Works Department Standards.

Should you have any questions concerning this letter please do not hesitate to contact the undersigned.

Yours truly,

J.P. Kapp Civil Engineers


J.P. Kapp, P.E.

Attachments: 1. Subject March 6, 2012 memorandum
2. Public Works Comments dated October 20, 2009 and associated documents

J.P. Kapp Civil Engineers

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5-10-12

ALL COUNTY PERSONEL

I, myself have enjoyed living here in Huasna Valley since 1971, and made a living here. Concerning the Huasna Valley water, food, or oil, The water and food has a lot more value than oil in many ways.

1.) Water is a part of the makeup of our soil, which our homes sets on, our food grows in, cleanses our bodies, gives us a way of life so we can live in Huasna Vastley

2.) Have you forgotten that you can not live without water? you would not be here without water, but you can live without oil, or the products it produces.

3.) There are a number of substitutes, and other products, that contain, and produce, oil as today's oil comes from many sources, other than the deep drilling for oil.

4.) You are asking to make a choice of drilling for oil, or help us keep our water, homes, beautiful area, that we people of the Huasna Valley have enjoyed for many ,years, 40 years for myself.

5.) I have raised cattle, hogs, horses, grain, fruits, vegetables, for myself, family and for the market, to help feed people. Working with, and for people, have always been the better part of my 87 years.

6.) There is only one decision to make, and that is let us people keep our good Huasna Valley as it is now, and has been for thousands of years.

7.) County head people should work with the residents in Huasna Valley by encouraging them to build new homes, improve their property, and re build a community of Huasna town back to were it was many years ago., Build a small grocery store, or general store, fire dept, school, church, etc. All that it takes to make a community. Re build Huasna Valley , Keep this quite, beautiful area, improve it to make it a better place for current and future residents to live with their families. Use wind and sun power, it's also cheaper

8.) If you allow any oil drilling on the Mankins Ranch mountain, it will damage my property which sets on my side of the moutain. You will be held fully responsible for all the damages that can, and will happen on my property. There is a fence half way thru the mountain where Mankins has the top half and I have the bottom half.

Sincerely



Ben Rhoades
10075 Bar BB Lane
Arroyo Grande Ca 93420
(805) 489-0896

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MAY - 8 2012

Board of Supervisors
San Luis Obispo County

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April 20, 2012

San Luis Obispo County
Board of Supervisor
1055 Monterey Street
San Luis Obispo, Ca, 93408

MAY - 8 2012

Board of Supervisors
San Luis Obispo County

Re: Proposed Excelaron Drilling Project
Huasna Valley

Dear Board of Supervisor:

This letter is in support of the proposed drilling project in the Huasna Valley by Excelaron Exploration.

It is important to understand that there is support for this project. Excelaron has followed the rules and regulations of the permitting process to the tee. The biological, air, water, noise, transportation, waste water and other issues are all being mitigated by Excelaron.

With the extreme economic hardships we are facing at this time, the state, county, businesses and individuals need the added revenue that this project will bring.

I strongly urge the Board of Supervisor to approve this project.

Sincerely,

MARIANO VEGA R.


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MAY - 8 2012

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April 20, 2012

San Luis Obispo County
Board of Supervisor
1055 Monterey Street
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Elvira Rodriguez


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Board of Supervisors
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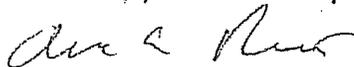
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ALVA RUIZ


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