

EXHIBIT 4

**THURSDAY, FEBRUARY 23, 2012**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of February 23, 2012 together with the maps and staff reports attached thereto and incorporated therein by reference.

[HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.](#) (9:13 AM)

***DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT***

[ROLL CALL](#) (9:14 AM)

PRESENT: Commissioner(s) Jim Irving, Tim Murphy, Ken Topping, Carlyn Christianson, and Chairman Dan O'Grady.

ABSENT:

5. [Hearing to consider a request by EXCELARON LLC for a Conditional Use Permit \(DRC2009-00002\) on property owned by Howard Mankins, et al, to receive approval for a phased development to establish oil production of up to 12 oil wells and associated production facilities on a previously explored oil field. Phasing would be as follows: Phase I - Exploration and Testing, Phase II - Production \(four wells\), Phase III - Site Cleanup and Existing Well Abandonment, Phase IV - Field Development \(up to additional 8 wells\). The project is located approximately 3/4 mile west of the Mankins' ranch house, which is on the west side of Huasna Townsite Road, approximately 1.5 miles south of Huasna Road, approximately 12 miles east of the City of Arroyo Grande, in the South County \(Inland\) and Huasna-Lopez planning areas. The hearing will also consider the Environmental Document prepared for the item. A Final EIR was prepared \(pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.\) for this project. The FEIR addresses potential impacts on: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards/ Hazardous Materials, Noise, Population/ Housing, Public Services/ Utilities, Transportation/ Circulation, Wastewater, Water, and Land Use. County File Number: DRC2009-00002 Assessor Parcel No: 085-271-004 Supervisorial District: 4 Accepted Date: December 16, 2009 John McKenzie, Project Manager Recommend: denial](#)  
***POST HEARING DETERMINATION: CONTINUED TO MARCH 8, 2012*** (10:40 AM)

Ellen Carroll, Environmental Coordinator: introduces staff and consultants involved in the proposed project.

John McKenzie, Project Manager: discusses memo that was received late and copies available for viewing.

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Commissioners Carlyn Christanson, Jim Irving, Tim Murphy, Ken Topping and Chairman Dan O'Grady: disclose ex-parte contacts.

John McKenzie, Project Manager: presents staff report presentation. Concluding staff discusses reasons for recommendation of denial.

Dan O'Grady: opens the floor to the agent and technical consultants.

Carol Florence, Agent: reviews proposed project, introduces Excelaron technical consultants and presents 3D model.

Grant Jagelman: representative of Excelaron, reviews history of the project.

Dr. Arthur Haleron, reviews the EIR and discusses 3 suggested added conditions regarding Water; Hydraulic Fracturing; and Traffic /Transportation .

David DeBink: Consultant, discusses noise standards and issues/references to noise in Staff Report and EIR.

Dan O'Grady: opens Public Comment.

El Jay Hanson, Istar Holliday, Michael Winn, David Lord, Tom Davis, Pat Kapp, Karl Rodenbaugh, Heather Hellman, Norris Palmer, Steve Palmer, Brad Parker (reads Russell Miller letter), walter Mankins, Mark Satterfield, Diane Blakeslee-OBrocato, Carl Hathaway, Joan Drake (read Robin Letters letter), Cecile DeMartini, Doug Timewell, Robert Garner, George Hansen, Ian Jackson, Dennis Allan, Terrie Leivers, Ron Skinner, Babak Naficy, Tracy Del Rio, Lyn Schultz, Reid Hawkins, Michael Law, Lindsay Gibson, Susan Heaton, Stan Sharpe, Steve Ela, Thomas Gibbins, Steve Weiner, Ted Ehring, Betty Tolson, Tom Murry, Eric Greening, Barbara Hawkins, Richard Whaler, Aaron Steed, Bill Thoma, Tim Cleath, Mike Brown, and John Evans: speak.

Dan O'Grady: discusses with Commission and staff date to continue item.

**Thereafter, on motion of Jim Irving, seconded by Tim Murphy, and on the following vote:**

**AYES: Commissioner(s) Jim Irving, Tim Murphy, Ken Topping, Carlyn Christianson, Chairman Dan O'Grady.**

**NOES: None.**

**ABSENT: None.**

**The Planning Commission Continues EXCELARON, LLC (DRC1009-00002) to March 8, 2012.**

EXHIBIT 4

**THURSDAY, MARCH 8, 2012**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of March 8, 2012 together with the maps and staff reports attached thereto and incorporated therein by reference.

[HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING. \(9:12 AM\)](#)

***DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT***

[ROLL CALL \(9:12 AM\)](#)

PRESENT: Commissioner(s) Jim Irving, Tim Murphy, Ken Topping, Carlyn Christianson, and Chairman Dan O'Grady.

ABSENT:

1. [Continued hearing to consider a request by EXCELARON LLC for a Conditional Use Permit \(DRC2009-00002\) on property owned by Howard Mankins, et al, to receive approval for a phased development to establish oil production of up to 12 oil wells and associated production facilities on a previously explored oil field. Phasing would be as follows: Phase I - Exploration and Testing, Phase II - Production \(four wells\), Phase III - Site Cleanup and Existing Well Abandonment, Phase IV - Field Development \(up to additional 8 wells\). The project is located approximately 3/4 mile west of the Mankins' ranch house, which is on the west side of Huasna Townsite Road, approximately 1.5 miles south of Huasna Road, approximately 12 miles east of the City of Arroyo Grande, in the South County \(Inland\) and Huasna-Lopez planning areas. The hearing will also consider the Environmental Document prepared for the item. A Final EIR was prepared \(pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.\) for this project. The FEIR addresses potential impacts on: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards/ Hazardous Materials, Noise, Population/ Housing, Public Services/ Utilities, Transportation/ Circulation, Wastewater, Water, and Land Use. The EIR includes mitigation measures to address these impacts. \( CONTINUED FROM 2/23/12\) County File Number: DRC2009-00002 Assessor Parcel No: 085-271-004  
Supervisorial District: 4 Accepted Date: December 16, 2009  
John McKenzie, Project Manager Recommend: Denial](#)

**[POST HEARING DETERMINATION: DENIED \(9:21 AM\)](#)**

Carlyn Christianson: discloses ex-parte contacts.

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Dan O'Grady: opens Public Comment.

Craig von Ilten: shows video.

David Baldwin, Michael Smith, Peter Keith, Istar Holliday, George Hansen, Cindy Hansen, Doug Timewell, Lyn Schultz, Tim Heaton, Robert Garner, Michael Law, Brent Peterson, Doug Tait, Jenn Skinner, Bob Branch, Michael Sharple, Susie Harris, Paul Scheibe, Larry Davison, Jean Rotta, Babak Naficy, Heather Hellman, Robin Letters, Anna Gabriel, Kent Zammit, Dennis Allan, Les Doorman, Richard Waller, Betty Tolson, and Ron Skinner: speak.

John Nall, Principal Environmental Specialist: introduces team.

John Pierson, MRS: shows a Power Point presentation addressing issues and concerns.

Commissioners and staff: discuss each topic as it is raised in the presentation.

Commissioners: begin deliberations.

Ellen Carroll, Environmental Coordinator: suggests Finding 3. h. could be where Mr. Topping's language can be inserted.

Ken Topping: is willing to only include a reference to the Safety Element to make a finding that this proposal is inconsistent with the Safety Element.

Whitney McDonald, County Counsel: provides the legal test for Commissioners to use when searching for substantial evidence to support a finding of fact or a finding of inconsistency.

**Thereafter, on motion of Tim Murphy, seconded by Carlyn Christianson, and on the following vote:**

**AYES: Commissioner(s) Tim Murphy, Carlyn Christianson, Jim Irving, Ken Topping.**

**NOES: Commissioner(s) , Chairman Dan O'Grady.**

**ABSENT: None.**

**The Commission denies DRC2009-00002 and adopts the Findings shown in Attachment B**

Respectfully submitted,  
Ramona Hedges, Secretary  
County Planning Commission