



Vintage Production California LLC

A subsidiary of Occidental Petroleum Corporation 

August 6, 2014

Los Angeles County
Department of Regional Planning
General Plan Development Section
320 W. Temple Street
Los Angeles, CA 90012

Attention: Emma Howard: ehoward@planning.lacounty.gov
General Plan: genplan@planning.lacounty.gov

RE: Comments on Draft 5 of the Significant Ecological Area (SEA) Program Documents

Dear Staff:

Vintage Production California, LLC (Vintage) would like to take this opportunity to provide comments on the revised Significant Ecological Area (SEA) Program Documents. Vintage is concerned that the proposed SEA Program Documents are not consistent with the policy goals stated in the draft 2035 General Plan Update and will result in substantial restrictions on exploration and development activities within the Vintage's existing oil and gas leases. The proposed "Conservation and Natural Resources Element" in Chapter 9 of the proposed General Plan provides the underlying policies to be followed by the County of Los Angeles and states the following:

"Much of the land in SEAs is privately held, is used for public recreation, or abuts developed areas. The SEA Program is intended to ensure that privately held lands within the SEAs retain the right of reasonable use while avoiding activities and developments that are incompatible with the long-term survival of the SEAs."

In addition, Chapter 9 states that oil and gas development can be determined by the County to be compatible with the long-term sustainability of biological resources. Given these statements, the County of Los Angeles has established that reasonable use of SEA lands includes oil and gas development. However, no further mention of oil and gas development as a permitted use is provided in the following draft SEA Program Documents:

- SEA Ordinance
- SEA Development Map
- SEA Guidance Document

In general, Vintage requests that oil and gas leases be identified as an existing vested use in the SEA Program Documents. The following four comments are provided to assist the County in remedying specific concerns with the SEA Program.

Comment #1:

(References: SEA Ordinance Sect. 22.52.2915 - Permitted Uses and SEA Development Map; Draft 5 dated March 25, 2014)

Based on the proposed Ordinance language, oil and gas activities on an existing lease could only be considered permitted uses if the proposed well location is within a designated Developed Area on the SEA Development Map. The proposed SEA Development Map does not show existing oil and gas leases as Developed Areas. The proposed Ordinance therefore would exclude oil and gas development as a permitted use within the SEAs.

Vintage requests that exploration and development of oil and gas wells on existing leases be identified as a permitted “by right” use under section 22.52.2915 of the SEA Ordinance and that the SEA Development map be revised to show existing oilfield boundaries as defined by the California Division of Oil, Gas and Geothermal Resources (DOGGR). The DOGGR oilfield boundaries are provided on the DOGGR website at the following URL:

<http://www.conservation.ca.gov/dog/maps/Pages/GISMapping2.aspx>

Comment #2:

(Reference: SEA Ordinance Sect. 22.52.2915 - Permitted Uses; Draft 5 dated March 25, 2014)

The draft SEA Ordinance states that permitted uses are authorized provided that:

*“an observed or likely to occur species of special status officially listed by the State or federal governments as Endangered, Threatened or Rare is not **discovered**;*”

Vintage requests that the County confirm whether or not critical habitat will be considered a “discovery” of listed federal species under the Ordinance and if this also applies to Developed Areas within critical habitat.

Comment #3:

(Reference: SEA Ordinance Sect. 22.52.2930 - Uses Subject to Permits; Draft 5 dated March 25, 2014)

The draft SEA Ordinance states that an SEA CUP must be obtained prior to use of property where the following applies:

“A.3. Any development that is otherwise permitted by Section 22.52.2915, excepting subsection G, but; as determined during the Staff Biologist site review; would occur at the site of the habitat for an undiscovered or previously thought extinct species; or the site of the habitat for a species special status officially listed by the State or Federal Governments as Endangered, Threatened or Rare.”

Vintage objects to this section of the draft Ordinance as it allows the Staff Biologist to make a determination as to the potential presence of State and federal listed species which could restrict permitted uses. It is the Vintage’s understanding that regulation of listed species is under the jurisdiction of State and federal agencies such as the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. The County’s determination of the presence of listed species appears to be redundant with existing regulations. Vintage requests that the County strike this language from the draft Ordinance.

Comment #4:

(Reference: Draft SEA Program Guide; Draft 5 dated March 25, 2014)

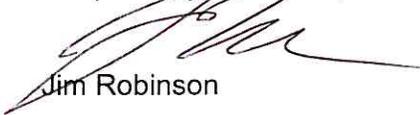
In the Overview Section, the SEA Guidance States the following:

“The SEA Ordinance establishes three levels of development permitting: Site Plan Review (for uses permitted “by right” in the SEA Ordinance), and two types of SEA Conditional Use Permit (CUP); one for lower intensity projects (Type A SEA CUP) and one for higher intensity projects (Type B SEA CUP). These three levels tie the amount of review required for the project to the project’s anticipated impact to the SEA.”

Vintage notes that the Guidance appears to contradict the draft Ordinance at Sect. 22.52.2935.D.1.b which automatically triggers an SEA CUP for any project where the Staff Biologist determines there is a potential for presence of federally listed threatened or endangered species. Vintage requests that the County provide a clear set of standards in the Guidance that meet the requirements for Site Plan Review and the Type A SEA CUP.

Vintage appreciates the time and effort the County is taking in responding to comments. Please do not hesitate to call me at (661) 332-0343 or email me at Jim_Robinson2@Oxy.com if you have any questions or would like to discuss.

Respectfully submitted,



Jim Robinson

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