

EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, AND DIVISION 9, OIL AND GAS FACILITIES, TO CLARIFY THE REQUIRED PERMIT FOR HYDRAULIC FRACTURING OF ANY NEW OR EXISTING OIL AND/OR GAS WELL.

Case No. 11ORD-00000-00023

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

DIVISION 2, Definitions of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-58, Definitions, to add the definition of “Hydraulic Fracturing” to read as follows:

OIL/GAS HYDRAULIC FRACTURING. *A well stimulation technique that consists of pumping fluid, typically with a propping agent such as sand, down the wellbore under pressure to create or enlarge fractures in a targeted formation.*

SECTION 2:

DIVISION 9, Oil and Gas Facilities, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 1, Applicability, of Section 35-152, Onshore Exploratory Oil and Gas Drilling, to amend the existing definitions of “Oil and Gas Exploration” to read as follows:

- 1. Applicability.** The specific regulations contained within this section shall apply to all equipment, buildings, and appurtenance necessary for the exploration for oil and gas resources from an onshore hydrocarbon area outside the limits of an established oil field. *Hydraulic fracturing of any new or existing well shall not be an allowed use under this section.* For all districts in which exploratory drilling is a permitted use or a use permitted with a Conditional Use Permit, the district regulations of Division 4 shall be inapplicable to said use.

SECTION 3:

DIVISION 9, Oil and Gas Facilities, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 1, Applicability, of Section 35-153, Onshore Oil and Gas Production, to amend the existing definitions of “Oil and Gas Exploration” to read as follows:

- 1. Applicability.** For all districts in which oil and gas production and related facilities are permitted uses or uses permitted with a Conditional Use Permit, the district regulations of Division 4 shall be inapplicable to said use.

The specific regulations contained within this section shall apply to the production of oil and gas from an onshore hydrocarbon area and related facilities, equipment, buildings, or appurtenances including:

- a. Drilling a new well or re-entering a previously abandoned well for the production of petroleum.
- b. Structures, equipment, or facilities necessary and incidental to dehydration and/or

separation of oil, gas and condensate obtained from an onshore hydrocarbon area.

- c. Injection wells and incidental equipment necessary for enhanced oil recovery or disposal of production wastes.
- d. Equipment and facilities necessary for enhanced oil recovery including waterflooding, steam injection, air injection, carbon dioxide injection, or introduction of polymers, or other agents.
- e. Pipelines located within an onshore oil and gas lease area which are necessary for oil and gas production operations.
- f. Storage tanks necessary or incidental to separation/treatment of oil and gas, or temporary storage of separated hydrocarbons, and equipment for transfer of the produced hydrocarbons to pipelines or tanker trucks.
- g. Access roads.
- h. Oil spill containment and recovery equipment including central office space and vehicles for the storage of floating oil/water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife clean-up equipment.
- i. Hydraulic fracturing of any new or existing well.

SECTION 4:

DIVISION 9, Oil and Gas Facilities, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 1, Applicability, of Section 35-158, Onshore Exploration and/or Production of Offshore Oil and Gas Reservoirs, to amend the existing definitions of “Oil and Gas Exploration” to read as follows:

1. Applicability. *(Amended by Ord. 4602, 3/21/06)*

- a. Onshore exploration and/or production of offshore oil and gas reservoirs within the South Coast Consolidation Planning Area shall be restricted to sites designated in the Coastal Plan as consolidated oil and gas processing sites.
- b. The specific regulations contained within this section shall apply to all equipment, buildings, activities and appurtenances necessary for the exploration and production of offshore oil and gas reservoirs from an onshore location including:
 - 1) Collocated structures, equipment, or facilities necessary and incidental to drilling, dehydration and separation of oil, gas and condensate obtained from an offshore oil and/or gas reservoir including secondary recovery methods as set forth in Section 25-31 of the County Code.
 - 2) Injection wells and incidental equipment necessary for gas reinjection or disposal of oil and gas exploration and production wastes.
 - 3) Surge tanks necessary or incidental to separation and dehydration of oil and gas at the drill site and pipeline transportation to processing facilities.
 - 4) Temporary storage facilities required during exploration, during emergency circumstances, during remediation of contaminated soils, and during abandonment.

- 5) Access roads and staging areas.
- 6) Oil spill containment and recovery equipment including central office space and vehicles for the storage of floating oil/water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife clean-up equipment.

7) Hydraulic fracturing of any new or existing well.

- c. The specific regulations contained within this section shall not apply to the injection, storage or withdrawal of natural gas from the Southern California Gas Company's storage field in Goleta, as described in Section 35-88.11 and regulated under the PU Zone District.

SECTION 5:

All existing indices, section references, and figure and table numbers contained in Article II, the Coastal Zoning Ordinance, of Chapter 35. Zoning, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 6:

Except as amended by this Ordinance, Division 2, Definitions, and Division 9, Oil and Gas Facilities, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 7:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

/

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

JONI GRAY
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By _____
William M. Dillon
Deputy County Counsel