



April 1, 2024

1075 7th Street, LLC
c/o Tim Finnigan
1072 Casitas Pass Road, #141
Carpinteria, CA 93013

SUBJECT: Notice of Final Decision Regarding Revocation of Conditional Use Permit (CUP) 960, as modified by LU06-0011 that authorized a wastewater treatment facility at 815 Mission Rock Road, in the unincorporated area of Santa Paula (Case No. PL23-0121)

Dear Mr. Finnigan:

Enclosed is a copy of the signed Resolution No. 24-0032 for Item 58 of the Ventura County (County) Board of Supervisors (Board) meeting of March 26, 2024, regarding the above-stated County zoning matter. As stated in the Resolution, the Board adopted all findings of fact and conclusions of law, approved the Planning Director's request to revoke CUP LU06-0011 (Case No. PL23-0121), and revoked CUP LU06-0011 and all related previously approved land use permits and entitlements, which shall have the effect of terminating the permits and entitlements and denying the privileges granted by the original approval. **THE TIME WITHIN WHICH JUDICIAL REVIEW OF THIS MATTER MUST BE SOUGHT IS GOVERNED BY THE CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1094.6.**

Regards,


Franca A. Rosengren, Senior Planner
Permit Administration Section,
County of Ventura Planning Division

C: Dave Ward, AICP, Planning Director, Planning Division
Winston Wright, Planning Manager, Planning Division
Doug Leeper, Code Compliance Director, Code Compliance Division

Enclosures: Resolution No. 24-0032
March 26, 2024 Minute Order, Agenda Item 58

RESOLUTION NO. 24-032

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA
FOR REVOCATION OF CONDITIONAL USE PERMIT 960,
AS MODIFIED BY MODIFICATION LU06-0011, REGARDING THE SANTA CLARA
WASTEWATER TREATMENT FACILITY**

RECITALS

WHEREAS, the Santa Clara Wastewater Treatment Facility (SCWW facility) is a wastewater treatment facility, located at 815 Mission Rock Road, in the unincorporated area of Santa Paula, within the Mission Rock Road Community, that, while in operation, accepts, treats, and disposes of various types of non-hazardous waste streams;

WHEREAS, the original permit (Special Use Permit (SUP) 960) for the subject wastewater treatment facility was approved by the Ventura County Board of Supervisors (Board) on July 21, 1959, for use as an oilfield salt wastewater disposal facility for Shell Oil Company and authorized the discharge of wastewater via a 12-mile pipeline to the City of Oxnard's Waste Water Treatment Plant (WWTP);

WHEREAS, on December 31, 1959, Santa Clara Waste Water Company (SCWW) acquired the interest of Shell Oil Company in the wastewater disposal facility;

WHEREAS, on February 9, 1960, the Board approved the transfer of SUP 960 to SCWW;

WHEREAS, since the original approval of SUP 960¹, there have been several approved modifications to the land use permit, including a modification that was approved by the Ventura County Planning Commission on August 30, 1990, to authorize the continued operation of the wastewater treatment facility and use of the 12-mile pipeline to discharge wastewater to the City of Oxnard's WWTP for a 50-year operation period, ending on August 30, 2040, and the addition of modern uniform conditions of approval to require the wastewater treatment facility to operate in compliance with current local and state regulations concerning wastewater disposal;

WHEREAS, a Wastewater Conveyance and Treatment Services Agreement was entered into between the City of Oxnard and SCWW on November 5, 1991, that authorized the City of Oxnard to accept and treat no more than 600,000 gallons of wastewater per day by SCWW into the City's sewerage system via an existing 12-mile pipeline. The term of this agreement was for three years. Since 1994, SCWW has received yearly approval from the City to continue use of the City's sewerage system for wastewater discharge in

¹ In the late 1980s, all SUPs were reclassified as Conditional Use Permits (CUPs). From this point forward, SUP 960 is referred to as CUP 960.

accordance with SCWW's most current Industrial Wastewater Discharge Permit (WDP) OC-8, which was effective until June 30, 2015;

WHEREAS, the Board granted a wastewater pipeline franchise to SCWW on April 6, 1999, by adopting Resolution 1.10.88 (Franchise 1.10.88), for continued use of the wastewater discharge pipeline located over, under, or upon those certain public rights-of-ways or places in the unincorporated area of Ventura County for a 20-year period;

WHEREAS, SCWW requested and received approval by the Board on January 24, 2006, for an extension of the term of the wastewater discharge pipeline Franchise 1.10.88 from February 23, 2019, to December 31, 2025;

WHEREAS, on July 29, 2010, the Planning Commission approved permit modification Conditional Use Permit (CUP) LU06-0011, the subject of this Resolution, to authorize upgrades to the existing wastewater treatment facility and to legalize unpermitted structures and equipment that had remained unabated since the 1980s. CUP LU06-0011 authorized new and various types of wastewater to be treated and disposed by pipeline to the City of Oxnard's WWTP, including but not limited to, domestic wastes, industrial wastewater, oily wastewater, and oilfield sludge wastes. This permit modification superseded all prior permit approvals, and the CUP's existing expiration date did not change as part of this modification and remains effective until August 30, 2040;

WHEREAS, SCWW requested and received approval by the City of Oxnard for a new Industrial WDP No. OC-8 that authorized the continued use of the City's WWTP, and covered the period of July 1, 2014, through June 30, 2015;

WHEREAS, the Zoning Clearance for Use Inauguration (ZCUI) to effectuate CUP LU06-0011 and implement the newly approved conditions of approval was issued to SCWW by the Planning Division on July 17, 2014;

WHEREAS, on November 18, 2014, approximately four months after SCWW received the ZCUI, a chemical explosion and fire occurred at the SCWW facility. County records indicate that the explosion was caused by the mixing of chemicals with incompatible materials in a vacuum truck;

WHEREAS, the emergency incident caused medical retirements of emergency response personnel who suffered respiratory injuries from inhalation of hazards generated by the incident, resulted in the destruction of a portion of the SCWW facility and a City of Santa Paula fire truck, and caused damage to off-site agricultural operations and industrial buildings and operations;

WHEREAS, following the emergency incident, the City of Oxnard indefinitely suspended SCWW's Industrial WDP No. OC-8 and prohibited any discharge of wastewater to the City's WWTP, and the WPD subsequently expired on June 30, 2015;

WHEREAS, on December 4, 2014, the then Planning Director suspended the land use permit CUP LU06-0011 that authorizes the operation of the wastewater treatment facility due to the emergency incident and SCWW's inability to operate the facility without access to the discharge pipeline to the City of Oxnard's WWTP;

WHEREAS, on April 15, 2015, the Planning Division approved SCWW's request for an Emergency Use Authorization (EUA) to authorize certain operations at the idle facility to clean-up, remediate, and alleviate odor-generating materials left onsite after the emergency incident, with clean-up activities and remediation successfully completed in 2018;

WHEREAS, on July 10, 2015, SCWW submitted a permit modification application (Case No. PL15-0106) to reinstate CUP LU06-0011, to reopen the SCWW facility, and to use the 12-mile discharge pipeline to the City's WWTP;

WHEREAS, since the application was submitted in 2015, the applicant and the proposed scope of work of Case No. PL15-0106 has changed numerous times, which has resulted in the application never progressing beyond the processing stage, and has resulted in the operation remaining idle for approximately nine years thus far;

WHEREAS, on January 23, 2017, Patriot Environmental Services contracted with SCWW to take over the processing of Case No. PL15-0106 as the applicant and to act on behalf of SCWW;

WHEREAS, on October 13, 2017, SCWW informed the Planning Division that Patriot Environmental Resources terminated their contract with SCWW to process Case No. PL15-0106 and requested that the application be transferred back to SCWW as the applicant for continued processing;

WHEREAS, on February 26, 2018, RI-NU Environmental Services, Inc. contracted with SCWW to take over the processing of Case No. PL15-0106 as the applicant and to act on behalf of SCWW;

WHEREAS, on July 28, 2023, RI-NU Services, Inc. withdrew the Case No. PL15- 0106 permit modification application;

WHEREAS, on August 16, 2023, the Planning Division notified SCWW and RI-NU Services, Inc. by letter that the existing structures, equipment, and materials on the property must be removed within 180 days due to non-use of the facility and abandonment of CUP LU06-0011 for a period of approximately nine years;

WHEREAS, on October 31, 2023, the Planning Director and his staff held a teleconference with SCWW's legal counsel, Tom Cohen, to discuss the August 16, 2023 letter;

WHEREAS, on November 8, 2023, the Planning Director, Planning staff, George Flack (representative of SCWW), and SCWW's legal counselors Tom Cohen and Greer Lang held a teleconference where SCWW indicated that they would like to proceed with voluntary termination of CUP LU06-0011 and that the reason for the delay in removing the existing equipment and structures is due to a prospective buyer of the property who may want to purchase the property with the equipment and structures;

WHEREAS, on November 9, 2023, Planning Division staff sent Mr. Cohen and Mr. Flack the documents to proceed with the voluntary termination of CUP LU06-0011;

WHEREAS, since November 8, 2023, neither SCWW nor its representatives have communicated with the Planning Division regarding the termination of the CUP or the removal of the existing equipment and structures on the property;

WHEREAS, after several attempts to communicate by email and phone with SCWW's legal counsel to no avail, on January 3, 2024, the Planning Director notified SCWW by letter that he would be requesting that the Board of Supervisors revoke CUP LU06-0011 due to SCWW's non-use and abandonment of the permit, for being out of compliance with the terms and conditions of the permit, and for the permitted site being used or maintained in violation of various laws and regulations;

WHEREAS, the Planning Director requested that the Board formally revoke CUP LU06-0011 at the Board's March 26, 2024, public hearing;

WHEREAS, while in the process of preparing this matter for hearing, the Planning Division was notified that SCWW was no longer the owner of the property and that on February 29, 2024, the property was transferred from SCWW to 1075 7th Street LLC., under Trustee's Deed Upon Sale, recorded in the County Recorder's Office on March 7, 2024; and

WHEREAS, on March 26, 2024, the Board conducted a public hearing regarding this matter. In conjunction with this hearing, the Board reviewed and considered the Planning Division's staff letter and all exhibits thereto, and considered all evidence, comments, and testimony received during the public hearing process.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

NOW THEREFORE, the Ventura County Board of Supervisors (hereinafter "Board") hereby adopts the following findings of fact and conclusions of law:

1. All statements of fact set forth in the **RECITALS** section above are incorporated herein by this reference.

2. Section 8111-6.2 of the Non-Coastal Zoning Ordinance (NCZO) allows for revocation of a permit for cause, which states: *“Any permit or variance heretofore or hereafter granted may be modified or revoked, or its use suspended, by the same decision-making authority and procedure which would normally approve the permit or variance under this Chapter. An application for such modification, suspension or revocation may be filed by any person or entity listed in Sec. 8111-2.1 or by any other aggrieved person. The applicant for such modification, suspension or revocation shall have the burden of proving one or more of the following causes:*
 - a. *That any term or condition of the permit or variance has not been complied with;*
 - b. *That the property subject to the permit or variance, or any portion thereof, is or has been used or maintained in violation of any statute, ordinance, law or regulation;*
 - c. *That the use for which the permit or variance was granted has not been exercised for at least 12 consecutive months, has ceased to exist, or has been abandoned;*
 - d. *That the use for which the permit or variance was granted has been so exercised as to constitute a public nuisance;*
 - e. *That the permittee has failed to pay any fees, charges, fines, or penalties associated with processing or enforcing the permit; or*
 - f. *That the permittee has failed to comply with any enforcement requirement established in Article 14.”*
3. The applicant requesting revocation of CUP LU06-0011 is the County of Ventura Planning Director;
4. The decision-making authority of such revocation request is the same decision-making authority and procedure which would normally approve the permit for a “Community Wastewater Treatment Facility,” which is the Board of Supervisors pursuant to NCZO, section 8105-5;
5. In accordance with the recommendation of the Planning Director, the Board has determined that subdivisions (a), (b), (c), and (d) of NCZO section 8111-6.2 support the revocation of CUP LU06-0011;

Grounds for Revocation No. 1: That any term or condition of the permit or variance has not been complied with. (NCZO, §8111-6.2(a))

6. CUP LU06-011 Condition of Approval No. 11 requires that “[t]he design, maintenance, and operation of the CUP area and facilities thereon shall comply with all applicable requirements and enactments of Federal, State, and County authorities, as amended, and all such requirements and enactments shall by

reference become conditions of this CUP.” (Exhibit 2².) As set forth more fully below in Grounds for Revocation No. 2 and detailed further in Exhibit 8’s extensive list of violations issued to SCWW just since 2010, the SCWW facility has been used and maintained in violation of state laws and local regulations, including causing the catastrophic explosion and fire that occurred on November 18, 2014.

7. In addition, under Condition of Approval No. 1.A.(1), the SCWW facility relied on use of the 12-mile wastewater discharge pipeline to transport the on-site treated wastewater to the City of Oxnard’s WWTP. After the catastrophic explosion and fire that occurred at the facility in November 2014, the City of Oxnard suspended indefinitely SCWW’s WPD that had allowed use of the pipeline, and the WPD subsequently expired on June 30, 2015. There is no indication that it will be reinstated. The SCWW facility cannot operate within the parameters of its approved use, operations, and conditions of approval of CUP LU06-0011 without the use of this pipeline, which is integral to the wastewater treatment operation. As such, the facility can no longer operate in compliance with a term or condition of its permit, and is subject to revocation under subsection (a).
8. Because the SCWW facility has operated in violation of terms and conditions of the permit, and can no longer operate in compliance with a term or condition of its permit, it is subject to revocation under subsection (a).

Grounds for Revocation No. 2: That the property subject to the permit or variance, or any portion thereof, is or has been used or maintained in violation of any statute, ordinance, law or regulation. (NCZO, §8111-6.2(b))

9. As demonstrated below in this resolution under the heading, *Notices to Comply and Notices of Violation*, and in Exhibit 8 attached to the Planning Division’s Board letter, the SCWW facility has an extensive history of violations from various County agencies and jurisdictions over the years. County records show multiple past violation cases and one current open Planning Division case (PV15-0020) associated with the SCWW facility. Although the record shows the first Planning Division violation case was initiated in the late 1980s, Planning Division’s Board letter focused only on those violations that occurred between 2010 and present day, which is during the permit processing and operational period of CUP LU06-0011.
10. As shown, the SCWW facility has received notices of violations from the Planning Division, the City of Oxnard, the County Environmental Health Division, and the Ventura County Air Pollution Control District during the relevant time period. Many acts and omissions that were subject of these civil violations were the subject of a separate criminal investigation that led to the Ventura County District Attorney’s Office filing charges against Green Compass, SCWW, and nine SCWW employees for circumventing hazardous materials regulations and failing to warn of a serious

² All cited exhibits are to those attached to the County Planning Division’s Board letter unless otherwise noted.

concealed danger, impeding enforcement, and illegally storing and mislabeling hazardous materials related to the catastrophic explosion and fire that occurred at the facility in November 2014. These parties were subsequently indicted and were sentenced by the Ventura County Superior Court in 2019.

11. Because the property has been used or maintained in violation of various laws and regulations, it is subject to revocation under subsection (b).

Grounds for Revocation No. 3: That the use for which the permit or variance was granted has not been exercised for at least 12 consecutive months, has ceased to exist, or has been abandoned. (NCZO, §8111-6.2(c))

12. On November 18, 2014, an explosion and fire occurred at the SCWW facility due to the mixing of chemicals with incompatible materials in a vacuum truck. As a result of this emergency incident, the City of Oxnard indefinitely suspended SCWW's WDP necessary to discharge wastewater to the City of Oxnard's WWTP, which subsequently expired on June 30, 2015. Upon notification that the facility no longer possessed an agreement or contract with the City of Oxnard to discharge waste to the City-operated treatment plant, on December 4, 2014, the then Planning Director suspended the authorization to operate the facility under CUP LU06-0011 (See Exhibit 3 of the Board letter.). The CUP LU06-0011 that authorized the operation of the wastewater treatment facility has not been exercised and the facility has been nonoperational for a 9-year period, since November 2014. Thus, pursuant to subsection (c), the use has not been exercised for at least 12 consecutive months, has ceased to exist without the pipeline, and is therefore subject to revocation.
13. Furthermore, the permit modification application for the reinstatement and continued use of the wastewater treatment facility that was originally filed on July 10, 2015 (Case No. PL15-0106) and commenced processing by the County agencies responsible for development review, was withdrawn on July 28, 2023. (Exhibit 4 of the Board letter). The permit is therefore subject to revocation for abandonment of the use pursuant to subsection (c).

Grounds for Revocation No. 4: That the use for which the permit or variance was granted has been so exercised as to constitute a public nuisance (NCZO, §8111-6.2(d))

14. California Civil Code section 3479 defines "nuisance" in relevant part as "[a]nything which is injurious to health, . . . or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property." Civil Code section 3480 defines "public nuisance" as "one which affects at the same time an entire community or neighborhood, or any considerable number of persons[...]" NCZO Section 8114-2.1 defines "public nuisance" as "any condition caused or permitted to exist in violation of any of the provisions of [the NCZO]."

15. Based on SCWW's past and current actions, including the frequent notices of violation issued to the facility, its repeated failure to comply with the conditions of approval of CUP LU06-0011 or its WDP, the November 2014 explosion and fire, and the failure to exercise the permit and abandonment of the facility for a 9-year period, the wastewater treatment facility constitutes a public nuisance in the MRR Community, as well as to its immediate agricultural and residential neighbors.

Notices to Comply and Notices of Violation

Ventura County Planning Division

16. County records show that as early as the 1980s violations have occurred at the SCWW facility, which resulted in notices of violation being issued by the Planning Division and the Environmental Health Division, as well as from the City of Oxnard;
17. This Resolution includes only those notices to comply and notices of violation issued during the time period of 2010 to present, which includes the time period during the permit processing and operational period of CUP LU06-0011;
18. On October 17, 2011, the County Code Compliance Division issued a Notice of Violation and Notice of Impending Civil Administrative Penalties (Case No. CV11-0403) to SCWW for the unpermitted installation of a double-wide mobile home and an office trailer connected to utilities. This violation was abated, and the case was closed on October 10, 2013;
19. As part of the review of SCWW's permit modification application PL15-0106 to reopen the SCWW facility, Planning staff conducted a site inspection of the facility and determined that the facility was not in compliance with its current conditions of approval, and a Notice of Violation (Case No. PV15-0020) was issued to SCWW on August 10, 2015 for (1) failure to install and maintain the required landscaping pursuant to Condition No. 22(b) and (c) and 31(g) of CUP LU06-0011; (2) erection of a freestanding sign without permits in violation of Condition No. 19 of CUP LU06-0011 (which has since been abated); and, (3) expansion of the wastewater treatment operation beyond the original permit boundaries by 1.67 acres in violation of Condition No. 4 of CUP LU06-0011;

City of Oxnard, Public Works Department, Water Resources Division

20. On October 18, 2013, City of Oxnard staff determined that SCWW failed to comply with the conditions and requirements of its WDP and Chapter 19, Section 19-26 of the Oxnard City Code (OCC) and issued a Notice of Violation. SCWW was cited for exceeding the local limits of Hydrogen Sulfide (H₂S) (OCC, Section 19-26);

21. On June 5, 2014, City of Oxnard staff determined that SCWW failed to comply with the conditions and requirements of its WDP and Chapter 19, Section 19-26 of the Oxnard City Code (OCC) and issued a Notice of Violation. SCWW was cited again for exceeding the local limits of H₂S (OCC, Section 19-26);
22. On October 22, 2014, a Cease and Desist Order was issued to SCWW by the City of Oxnard due to a slug discharge that caused an exceedance of the City's maximum daily effluent limit for Gross Beta radioactivity (OCC, Sections 19-104 and 19-25);
23. On November 26, 2014, the City of Oxnard issued a Suspension of Right under Industrial Wastewater Discharge Permit OC-8 to discharge any materials into the City's Waste Water Collection System;
24. On December 11, 2014, City of Oxnard staff determined that SCWW failed to comply with the conditions and requirements of its WDP and Chapter 19, Section 19-25 of the Oxnard City Code (OCC) and issued a Notice of Violation. SCWW was cited again for exceeding the limits of Gross Beta and pH (OCC, Section 19-25);
25. On June 22, 2015, City of Oxnard staff issued a Notice of Violation to SCWW for the illicit discharge of industrial waste, which occurred during a pressure test of the 12-mile pipeline;

County of Ventura Environmental Health Division (EHD)

26. On April 22, 2010, a Notice to Comply was issued to SCWW for violations of state health and safety codes concerning the handling and storage of hazardous materials;
27. On April 9, 2015, a Notice to Comply was issued to SCWW for violations of state health and safety codes concerning the handling and storage of hazardous materials and specifically indicated that there was a 100 percent or more increase of undisclosed materials on the property;
28. On November 6, 2015, a search warrant was executed at the facility by the Ventura County Sheriff's Office. EHD staff were onsite during the execution of the warrant. During the inspection, EHD staff determined that the facility was operating in violation of state health and safety codes concerning the handling and storage of hazardous materials. On November 6, 2015, EHD staff issued a Notice to Comply that included the following violations: SCWW (1) did not provide a complete or accurate annotated site map showing the location of specific hazardous materials and wastes, (2) failed to electronically update the hazardous materials business plan on the California Environmental Reporting System (CERS), (3) failed to provide adequate hazardous materials training and maintain training records, (4) failed to determine if the waste generated is a hazardous waste, (5) made a false statement or representation in an application, label, manifest, record, report, permit, or other

document filed for purposes of compliance with Health and Safety Code Section 25189, (6) failed to inspect hazardous waste accumulation containers and accumulation area on at least a weekly basis, (7) failed to provide a complete or accurate contingency plan, (8) failed to provide adequate aisle space, (9) failed to close the hazardous waste accumulation container during transfer and storage of materials, (10) failed to obtain a valid hazardous waste producer license, (11) failed to properly separate waste from nearby incompatible waste or materials, and, (12) maintained hazardous waste accumulation in a container that is in poor condition;

29. On December 9, 2015, a Notice to Comply was issued to SCWW for violations of state health and safety codes concerning the handling and storage of hazardous materials, including the following violations: SCWW (1) failed to properly label hazardous waste accumulation containers, and, (2) maintained hazardous waste in a container that is in poor condition.
30. On February 16, 2016, a Notice of Violation was issued to SCWW for failure to submit a compliance certification or proof of compliance for the violations noted in previous site inspections conducted by EHD staff;
31. On July 8, 2016, EHD issued a Notice to Comply that included the following violations: SCWW (1) failed to submit a correct and accurate SPCC Plan, (2) did not provide a complete or accurate annotated site map showing the location of specific hazardous materials and wastes, (3) failed to provide adequate hazardous materials training and maintain training records, (4) failed to electronically update the hazardous materials business plan in CERS, (5) failed to determine if the waste generated is a hazardous waste, (6) failed to maintain a contingency plan onsite, (7) failed to maintain records documenting training provided to employees, (8) failed to obtain a valid hazardous waste producer license, (9) failed to provide adequate training to employees, (10) exceeded the hazardous waste accumulation time, and, (11) failed to properly label hazardous waste accumulation containers;
32. On September 15, 2016, a Notice of Violation was issued to SCWW for failure to submit a compliance certification or proof of compliance for the violations noted in previous site inspections conducted by EHD staff;
33. On April 24, 2017, a Notice of Non-Compliance was issued to SCWW for failure to submit the annual business plan into CERS; and,

Ventura County Air Pollution Control District

34. On April 28, 2011, a Notice of Violation was issued to SCWW for violations of Rule 10 (A, B) for failure to obtain a Permit to Operate for oilfield tank bottom processing and associated equipment;

35. On June 29, 2011, a Notice of Violation was issued to SCWW for violations of Rule 55 (B1, B3) for creating dust beyond the property line and for tracking out dirt from the property;
36. On January 22, 2014, a Notice to Comply was issued to SCWW for noncompliance with Rule 10 (AB);
37. On May 1, 2014, a Notice to Comply was issued to SCWW for noncompliance with Rule 29(c);
38. On June 9, 2015, four Notices of Violation were issued to SCWW for violations of Rules 29(c) and 10 (A, B), and permit conditions 4(a), 4(d), and 5(a) for: (1) failure to have tank-bottom receiving tanks, oil/water separator tanks and oil recovery tanks closed at all times, (2) failure to maintain the oilfield solids storage area covered in order to minimize emissions of ROC to the atmosphere, (3) failure to maintain the carbon adsorption system in operation, and the operation of 10 additional oil/water separation tanks (when only one permitted);
39. On July 27, 2015, three Notices of Violation were issued to SCWW for violations of Rule 29(c) for: (1) failure to maintain hatches in leak-free condition as required by permit condition no. 4(b), (2) failure to operate carbon adsorption system #1 and system #2 in series as required by permit condition no. 5(b), and (3) failure to maintain ROC concentration at carbon vessel effluent at less than or equal to 10ppm as required by permit condition no. 5(c);
40. On August 11, 2015, a Notice of Violation was issued to SCWW for violations of Rule 10 (A, B) for failure to obtain an Authority to Construct or Permit to Operate for two diesel powered pumps rated at more than 50 BHP;
41. On February 3, 2016, a Notice to Comply was issued to SCWW for noncompliance with Rule 74.10.F.4.
42. On February 8, 2016, two Notices of Violation were issued to SCWW for violations of Rule 29(c) (1) failure to maintain tank's hatches closed as required by permit condition no. 4(b) and Rule 74.10.c.1, and (2) failure to maintain ROC concentration at system exhaust less than 10ppm methane, carbon adsorption system #2, as required by permit condition no. 5(c);
43. On February 22, 2016, three Notices of Violation were issued to SCWW for violations of Rule 74.10.F.2., Rule 29(c), and for failure to monitor measurements for ROC, methane, at least once per day of system operation at each carbon adsorption system exhaust as required by permit condition no. 5(d);
44. On March 10, 2017, a Notice to Comply was issued to SCWW for noncompliance with Rule 29(c); and

45. On April 11, 2017, a Notice of Violation was issued to SCWW for violations of Rule 29(c) for failure to operate carbon adsorption system for tanks containing oilfield wastes as required by permit condition no. 5(a).

**BOARD ACTIONS AND ADDITIONAL FINDINGS
OF FACT AND CONCLUSIONS OF LAW**

NOW THEREFORE, the Board hereby takes the following actions and adopts the additional findings of fact and conclusions of law:

- a. **ADOPT** all findings of fact and conclusions of law as set forth above;
- b. Based on the findings of fact and conclusions of law as set forth above, **APPROVE** the Planning Director's request to revoke CUP LU06-0011 (Case No. PL23-0121), and **REVOKE** CUP LU06-0011 and all related previously approved land use permits and entitlements, which shall have the effect of terminating the permits and entitlements and denying the privileges granted by the original approval.

Upon motion of Supervisor Long, seconded by Supervisor Parvin, and duly carried, the Board of Supervisors hereby adopts this resolution on 26 day of March, 2024.

Kelly Long
Kelly Long, Chair, Board of Supervisors
County of Ventura

ATTEST: DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California.

By: Lore Key
Deputy Clerk of the Board





**BOARD MINUTES
BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA**

**SUPERVISORS MATT LAVERE, JEFF GORELL,
KELLY LONG, JANICE S. PARVIN AND VIANEY LOPEZ
March 26, 2024 at 3:00 p.m.**

**Public Hearing to Consider Planning Director Request to Revoke Conditional Use Permit (CUP) No. 960, as Modified by LU06-0011, Collectively, CUP LU06-0011, that Authorizes the Operation of a Wastewater Treatment Facility, Commonly Known as the Santa Clara Waste Water Facility, Located at 815 Mission Rock Road, Unincorporated Area of Santa Paula; Adoption of a Resolution Setting Forth Findings of Fact and Conclusions of Law of Revocation of CUP LU06-011; and Find that the Revocation is Exempt from the California Environmental Quality Act (CEQA) (Case No. PL23-0121); Supervisorial District No. 3.
(Resource Management Agency - Planning)**

- (X) All Board members are present.

- (X) The Board holds a public hearing.

- (X) The following persons are heard: Franca Rosengren, Tim Finnigan, Rick Bandelin, Winston Wright, Dave Ward, Tom Olson, Mary Ann Krause, Jim Procter, John Procter, Leslie Cornejo, Laura Espinosa, and Robert Ornstein.

- (X) The following documents are submitted to the Board for consideration:
 - (X) PowerPoint Presentation
 - (X) 6 public comment letters

- (X) Upon motion of Supervisor Long, seconded by Supervisor Parvin, and duly carried, the Board hereby denies the property owner's request to continue the item and approves recommendations as stated in the Board letter.

By: *Lori Key*
Lori Key
Deputy Clerk of the Board