

## **Exhibit 10 Coastal Act Consistency Analysis**

This exhibit provides an analysis of consistency with the California Coastal Act for the proposed Hemp Regulations (which would add chapter 6, section 9600 et seq., to division 9 of the Ventura County Ordinance Code) to regulate the cultivation of industrial hemp in the unincorporated areas of Ventura County and the related proposed Local Coastal Program (LCP) amendment of section 8174-5 of the Ventura County Coastal Zoning Ordinance (CZO) to reference the Hemp Regulations.

The California Coastal Act requires that local governments create LCPs (consisting of land use plans and implementing ordinances) to carry out the policies of the Coastal Act at the local level. Once an LCP is certified by the California Coastal Commission (Coastal Commission), responsibility for issuance of most coastal development permits is delegated to the local government.

Land use development within the County's unincorporated coastal zone is governed by the County's Coastal Area Plan (CAP), the CZO, and two adopted Categorical Exclusion Orders (Order E-83-1 and amendment E-83-1A). The CAP is the County's coastal area land use plan addressing the type, location, and intensity of land uses, applicable resource protection and development policies and, where necessary, a listing of implementing actions. In order to ensure that policies in the CAP are interpreted in a manner consistent with the Coastal Act, the policies of the Coastal Act (Sections 30200 through 30265.5) have been incorporated by reference as policies of the CAP. The CAP was certified by the Coastal Commission in June 1982.

In order to realize the broad objectives and policies outlined within the CAP, the CZO contains standards that control the form and function of future development. It includes more detailed zoning or implementing ordinances designed to carry out the policies of the CAP and was certified by the Coastal Commission in 1983. The Categorical Exclusion Orders are independent documents adopted by the Coastal Commission in accordance with section 30610(e) of the Coastal Act. Ventura County's Categorical Exclusion Order E-83-1 became effective in September 1986 and was amended once (E-83-1A) in May 1987.

The proposed CZO amendment (Exhibit 1 to the Planning Commission staff report dated November 5, 2020) is non-substantive. It solely adds to the CZO a cross-reference to the Hemp Regulations in order to provide notice of those regulations, and does not physically affect land use or have any other effect. The proposed amendment is evaluated below for consistency with the Coastal Act.

The Coastal Commission must certify proposed LCP amendments if, as set forth in Coastal Act sections 30512 through 30513, the amendments are in conformance with Coastal Act policies and the amendments are adequate to carry out the provisions of the CAP. The Coastal Commission also must make related findings for certification as set

forth in the California Code of Regulations, title 14, section 13540. Based on the evaluations conducted for these subject areas, as presented in the below Coastal Act Consistency Table, the Planning Division found that all findings can be made for the proposed CZO amendments. For example, the table demonstrates why the proposed LCP amendments are consistent with the applicable Coastal Act policies and are adequate to carry out the provisions of the CAP.

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<b>Subject: Public Access</b>	
<p><b>CCA Section 30210_Access; recreational opportunities; posting</b></p> <p>In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.</p>	<p><b>Consistent.</b> The proposed Hemp Regulations would not permit or promote development that would interfere with the public's existing or future right to access the sea, the use of dry sand, or rocky beaches within the County of Ventura's coastal area. The Hemp Regulations would require a security plan which could include fencing and locking gates among other security measures, but these improvements will be evaluated on a case-by-case to determine if these improvements will need a Coastal Planned Development Permit. It is anticipated that many of these improvement will be considered exempt from a Coastal Development Permit pursuant to Categorical Exclusion Order E-83-1 and CZO section 8174-6.1 because these improvements would most likely be related to existing developed agricultural operations and would not interfere with existing and future public access. If development is proposed for an existing or new agricultural operation that does not qualify for a Categorical Exclusion, the development would require a Coastal Planned Development, which involves discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with these policies.</p>
<p><b>CCA Section 30211_Development not to interfere with access</b></p> <p>Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</p>	
<p><b>CCA Section 30212_New Development Projects; provision for access; exceptions</b></p> <p>(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.</p> <p>(b) For purposes of this section, "new development" does not include:</p> <p>(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.</p> <p>(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10%, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.</p>	

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<p>(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10%, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.</p> <p>(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.</p> <p>(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach. As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.</p> <p>(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.</p>	
<p><b>CCA Section 30214_Implementation of public access policies; legislative intent</b></p> <p>(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:</p> <p>(1) Topographic and geologic site characteristics.</p> <p>(2) The capacity of the site to sustain use and at what level of intensity.</p> <p>(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.</p>	

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<p>(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.</p> <p>(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X</p> <p>(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.</p>	
<p><b>CAP Vertical Access Policy (<i>All Subareas</i>)</b></p> <p>For all new development between the first public road and the ocean, granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:</p> <ul style="list-style-type: none"> <li>a. Adequate public access is already available within a reasonable distance of the site measured along the shoreline, or</li> <li>b. Access at the site would result in unmitigable adverse impacts on areas designated as sensitive habitats or tidepools by the land use plan, or</li> <li>c. Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or</li> <li>d. The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner.</li> </ul>	

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<p><b>CAP Lateral Access Policy (<i>All Subareas</i>)</b></p> <p>For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.</p> <p>a. Findings are made, consistent with Section 30212 of the Act that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected.</p>	
<p><b>CAP Access Policy for General Access (<i>All Subareas</i>)</b></p> <p>In accordance with section 30214(a) of the Coastal Act, the time, place, and manner of access will depend on individual facts and circumstances; including topographic and site characteristics, the capacity of the site to sustain use at the intensity proposed, management of the access areas to protect the privacy of adjacent owners, and the feasibility to provide for litter collection.</p>	
<p><b>CAP Access Policy for General Access (<i>All Subareas</i>)</b></p> <p>In accordance with section 30214(b) of the Coastal Act, the requirement of access shall be reasonable and equitable, balancing the rights of the individual property owner with the public's right of access.</p>	

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<b>Subject: Recreation</b>	
<p><b>CCA Section 30220_Protection of certain water-oriented activities</b> Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or recreation. The CZO amendment solely provides notice of the Hemp Regulations and has no other effect.</p> <p>As discussed above related to public access, any proposed development that is not exempt pursuant to the Categorical Exclusion Order would be required to obtain a Coastal Planned Development. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with these policies.</p>
<p><b>CCA Section 30222_Private lands; priority of development purposes</b> The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.</p>	
<p><b>CCA Section 30222.5_Oceanfront lands; aquaculture facilities; priority</b> Oceanfront land that is suitable for coastal-dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal-dependent developments or uses.</p>	
<p><b>CCA Section 30223_Upland areas</b> Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.</p>	
<p><b>CCA Section 30224_Recreational boating use; encouragement; facilities</b> Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.</p>	

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<b>Subject: Marine Resources</b>	
<p><b>Section 30230_Marine resources; maintenance</b></p> <p>Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or marine resources. Any proposed development associated with hemp production that is not exempt pursuant to the Categorical Exclusion Order would be required to obtain a Coastal Planned Development. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with these policies.</p>
<p><b>Section 30231_Biological productivity; water quality</b></p> <p>The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	
<p><b>Section 30232_Oil and hazardous substance spills</b></p> <p>Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.</p>	
<p><b>Section 30233_Diking, filling or dredging; continued movement of sediment and nutrients</b></p> <p>a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of [the California Coastal Act], where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:</p>	



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<p>1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.</p> <p>2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.</p> <p>3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and public recreational opportunities.</p> <p>4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.</p> <p>5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.</p> <p>6) Restoration purposes.</p> <p>7) Nature study, aquaculture, or similar resource dependent activities.</p> <p>b) Dredging and soils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.</p> <p>c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if</p>	

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<p>otherwise in accordance with this division. d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.</p>	
<p><b>CCA Section 30235_Construction altering natural shoreline</b></p> <p>Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal dependent uses or protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impact on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded, where feasible.</p>	
<p><b>CCA Section 30236_Water Supply and flood control</b></p> <p>Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.</p>	
<p><b>CCA Section 30234.5_Economic, commercial and recreational importance of fishing</b></p> <p>The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or economic, commercial and recreational importance of fishing. However, any proposed</p>

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	development that is not exempt pursuant to the Categorical Exclusion Order would be required to obtain a Coastal Planned Development. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval. The CZO amendment solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.
<p><b>CAP Environmentally Sensitive Habitats, Tidepools and Beaches Policies</b></p> <ol style="list-style-type: none"> <li>1. Shoreline protection structures, such as revetments, seawalls, groins, or breakwaters, are allowed when they are necessary to protect existing developments, coastal-dependent land uses, and public beaches. Any structures built under these conditions will incorporate mitigation measures that reduce intertidal or nearshore habitat losses and impacts on local shoreline and sand supply. <i>(North Coast Subarea Policy only)</i></li> <li>2. Shoreline protection structures such as revetments, seawalls, groins, or breakwaters are allowed when they are necessary to protect existing developments, coastal dependent land uses and public beaches. Any structures built under these conditions that affect tidepools will incorporate mitigation measures that reduce intertidal or nearshore habitat loss as feasible. <i>(Central Coast Subarea Policy only)</i></li> <li>3. Placement of any fill or dredged material along the North Coast beach intertidal area shall be carried out in consultation with the State Department of Fish and Game, in order to ensure that the timing and location of such activities does not disrupt the life cycles of intertidal or sandy beach species. <i>(North Coast Subarea Policy only)</i></li> <li>4. An applicant for any coastal project, including shoreline protective devices, will show that their proposal will not cause long-term adverse impacts on beach or intertidal areas. Impacts include,</li> </ol>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or environmentally sensitive habitats, tidepools and beaches. However, if any proposed development that is not exempt pursuant to the Categorical Exclusion Order would be required to obtain a Coastal Planned Development. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval. The CZO amendment solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>

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<p>but are not limited to, destruction of the rocky substrate, smothering of organisms, contamination from improperly treated waste water or oil, and runoff from streets and parking areas. Findings to be made will include, but not be limited to, proper waste water disposal.</p> <p>5. The adopted State "Guidelines for Wetlands and Other Wet, Environmentally Sensitive Habitats" will be used when analyzing any projects that may impact or alter tidepools.</p>	
<p><b>Subject: Land Resources</b></p>	
<p><b>CCA Section 30240_Environmentally sensitive habitat areas; adjacent developments</b></p> <p>(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop. For all crops, including the cultivation of hemp, the Agricultural Commissioner’s Office would continue to enforce federal, state and local laws, regulations, and ordinances for pest management and pesticide use, preventing the introduction and movement of quarantined pests, certification of shipments for export, quality control for produce, nursery stock, and other agricultural products and reviewing land use compatibility with agricultural operations in Ventura County.</p> <p>The cultivation of agricultural crops, including hemp, on existing agricultural land is exempt from a land use entitlement from the Planning Division though growers are required under state law to register hemp production operations with the Agricultural Commissioner’s Office. See Food and Agricultural code section 81000 et seq. However, if there is a proposed new agricultural operation (e.g., agricultural land that is currently open space and is proposed to be cultivated) or an expansion of an existing</p>

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	<p>operation that entails the removal of Major Vegetation and/or the development of structures that do not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval. The CZO amendment solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>

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<p><b>CCA Section 30241_Prime agricultural land; maintenance in agricultural production</b></p> <p>The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:</p> <ul style="list-style-type: none"> <li>(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.</li> <li>(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.</li> <li>(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.</li> <li>(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.</li> <li>(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.</li> <li>(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.</li> </ul>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land. Hemp is only one of many row crops that can be grown on agricultural land in the coastal areas. In fact, hemp was not actually grown in the coastal areas in 2019, when it became legal to do so under state law. The Hemp Regulations do not permit or promote any development on or adjacent to agricultural land or affect any designations or boundaries. The Hemp Regulations would not cause a loss of agricultural soils and would not promote the conversion of existing agricultural lands to other non-agricultural uses.</p> <p>The CZO amendment solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendment to the CZO are consistent with these policies.</p>
<p><b>CCA Section 30241.5_Agricultural land; determination of viability of uses; economic feasibility evaluation</b></p> <ul style="list-style-type: none"> <li>(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall</li> </ul>	

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<p>include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:</p> <ol style="list-style-type: none"> <li>(1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.</li> <li>(2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.</li> </ol> <p>For purposes of this subdivision, “area” means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.</p> <p>(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.</p>	
<p><b>CCA Section 30242_Lands suitable for agricultural use; conversion</b></p> <p>All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.</p>	
<p><b>CAP North Coast Subarea_Agricultural Policy 1_Soil Conservation</b></p>	

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Soils will be conserved and erosion minimized by the use of best grading management practices as set forth by the Soil Conservation Service.	
<p><b>CCA Section 30244_Archaeological or paleontological resources</b></p> <p>Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or impact archeological or paleontological resources. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p> <p>The CZO amendment solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendment to the CZO are consistent with this policy.</p>
<p><b>CAP Environmentally Sensitive Habitats, Coastal Dunes Policies (<i>Central Coast Subarea only</i>)</b></p> <ol style="list-style-type: none"> <li>Coastal sand dunes on County unincorporated land are designated "Open Space" or "Agriculture," in this Coastal Plan as well as "Open Space" or "Agricultural" on the County's General Plan Land Use Map in order to provide for maximum coastal dune protection.</li> </ol>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or impact environmentally sensitive habitat such as coastal sand dunes. As with any agricultural operation, if there is proposed new development and/or an</p>



## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<ol style="list-style-type: none"> <li>2. Activities leading to degradation, erosion or destruction of coastal dunes will not be allowed. This includes, but is not limited to, use by off-road vehicles, sand mining, filling, or dumping.</li> <li>3. County supports less-than-fee acquisitions by the State as a means of preservation, such as open space easements and tax incentives.</li> </ol>	<p>expansion of an existing hemp operation that entails the removal of vegetation or land features that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p> <p>The CZO amendment solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendment to the CZO are consistent with this policy.</p>
<p><b>CAP Environmentally Sensitive Habitats, Creek Corridors and Wetlands Policies</b></p> <ol style="list-style-type: none"> <li>1. All projects on land either in a stream or creek corridor or within 100 feet of such corridor (buffer area), shall be sited and designed to prevent impacts which would significantly degrade riparian habitats, and shall be compatible with the continuance of such habitats.</li> <li>2. All projects on land either in a designated wetland, or within 100 feet of such designation, shall be sited and designed to prevent impacts which would significantly degrade the viability of the wetland. The purposes of such projects shall be limited to those in Section 30233(a) of the Coastal Act. (<i>Central Coast Subarea Policy only</i>)</li> <li>3. Where any dike or fill development is permitted in wetlands, mitigation measures will, at a minimum, include those listed in Section 30607.1 of the Coastal Act. Other reasonable measures will also be required as determined by the County to carry out the provisions of Sections 30233 (b and c) of the Coastal Act. (<i>Central Coast Subarea Policy only</i>)</li> </ol>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County in order to mitigate objectionable odors, and other adverse effects of this crop, and do not otherwise affect use of agricultural land or impact environmentally sensitive habitat, such as creek corridors and wetlands. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and</p>

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California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<p>4. Substantial alterations (channelizations, dams, etc.) to river, stream, or creek corridors are limited to (<i>North and South Coast Subarea Policy only</i>):</p> <ol style="list-style-type: none"> <li>a. necessary water supply projects;</li> <li>b. flood control projects where no other method for protecting existing structures in the flood plan is feasible, and where such protection is necessary for public safety</li> <li>c. or to protect existing development; or developments where the primary function is the improvement of fish and wildlife habitat.</li> </ol> <p>5. Channelization, dams, and other river or stream alterations will be limited to (<i>Central Coast Subarea Policy only</i>):</p> <ol style="list-style-type: none"> <li>a. Necessary water supply projects.</li> <li>b. Flood control projects to secure public safety in the flood plain when there are no other feasible protection methods.</li> <li>c. Projects necessary for protection and enhancement of wetlands habitats.</li> </ol> <p>Such permitted projects will incorporate feasible mitigation measures.</p> <p>6. Habitat mitigation will include, but not be limited to, timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of native vegetation, reclamation or enhancement as specified in the California Coastal Commission "Interpretive Guidelines for Wetlands" and a plan for spoils consistent with the following policy. (<i>Central Coast Subarea Policy only</i>)</p> <p>7. Projects allowed per the above policies will incorporate the best mitigation measures feasible.</p> <p>8. The County will work in close cooperation with other agencies and jurisdictions to provide comprehensive and biologically sound management of coastal wetlands.</p> <p>9. Criteria set forth in the adopted Coastal Commission's "Statewide Interpretive Guidelines for Wetlands and Other Environmentally Sensitive Wet Habitats" will be used in evaluating projects in creek corridors. (<i>North and South Coast Subarea Policy only</i>)</p>	<p>Coastal Act Policies, environmental review and conditions of approval.</p> <p>The CZO amendment solely provides notice of the Hemp Regulations and has no other effect Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<b>Subject: Development</b>	
<p><b>CCA Section 30250_Location, existing developed area</b></p> <p>(a) New residential, commercial, or industrial development, except as otherwise provided in this division shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the useable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.</p> <p>(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.</p> <p>(c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County and do not include standards for residential, commercial or industrial development. The Hemp Regulations would prevent conflicts between inconsistent land uses, such as prohibiting the cultivation of hemp within a certain distance of existing urban areas and other existing sensitive uses. Additionally, the Hemp Regulations would allow existing uses, including all other agricultural uses, to continue unimpeded.</p> <p>The CZO amendment solely provides notice of the Hemp Regulations and has no other effect Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>
<p><b>CCA Section 30251_Scenic and visual qualities</b></p> <p>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p>

<b>Coastal Act Consistency Analysis</b>	
<b>California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy</b>	<b>Consistency Discussion</b>
	The amendment to the CZO solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with these policies.
<p><b>CCA Section 30253_Minimization of adverse impacts</b></p> <p>New development shall do all of the following:</p> <ul style="list-style-type: none"> <li>(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.</li> <li>(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geological instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</li> <li>(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.</li> <li>(d) Minimize energy consumption and vehicle miles traveled.</li> </ul> <p>Where appropriate, protect special communities and neighborhoods that. Because of their unique characteristics, are popular visitor destination points for recreational uses.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p> <p>The amendment to the CZO solely provides provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>
<p><b>CCA Section 30255_Priority of Coastal-Dependent Developments</b></p> <p>Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.</p>	<p>The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed</p>

**Coastal Act Consistency Analysis**

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
	<p>development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p> <p>The amendments to the CZO solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>
<p><b>Subject: Industrial Development</b></p>	
<p><b>CCA Section 30260_Location or expansion</b></p> <p>Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County and, therefore, these policies are not applicable.</p>
<p><b>CCA Section 30261_Tanker facilities; use and design</b></p> <p>Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and</p>	

**Coastal Act Consistency Analysis**

<p align="center"><b>California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy</b></p>	<p align="center"><b>Consistency Discussion</b></p>
<p>recovery equipment for oil spills, and (4) have onshore de-ballasting facilities to receive any fouled ballast water from tankers where operationally or legally required.</p>	
<p><b>CCA Section 30262_Oil and gas development</b></p> <p>a) Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:</p> <ul style="list-style-type: none"> <li>(1) The development is performed safely and consistent with the geologic conditions of the well site.</li> <li>(2) New or expanded facilities related to that development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.</li> <li>(3) Environmentally safe and feasible subsea completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of those structures will result in substantially less environmental risks.</li> <li>(4) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, determined in consultation with the United States Coast Guard and the Army Corps of Engineers.</li> <li>(5) The development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.</li> </ul>	

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<p>(6) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Division of Oil and Gas of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental 42 risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.</p> <p>(7) (A) All oil produced offshore California shall be transported onshore by pipeline only. The pipelines used to transport this oil shall utilize the best achievable technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems.</p> <p>(B) Once oil produced offshore California is onshore, it shall be transported to processing and refining facilities by pipeline.</p> <p>(C) The following guidelines shall be used when applying subparagraphs (A) and (B):</p> <ul style="list-style-type: none"> <li>(i) "Best achievable technology," means the technology that provides the greatest degree of protection taking into consideration both of the following: <ul style="list-style-type: none"> <li>(I) Processes that are being developed, or could feasibly be developed, anywhere in the world, given overall reasonable expenditures on research and development.</li> <li>(II) Processes that are currently in use anywhere in the world. This clause is not intended to create any conflicting or duplicative regulation of pipelines, including those governing the transportation of oil produced from onshore reserves.</li> </ul> </li> <li>(ii) "Oil" refers to crude oil before it is refined into products, including gasoline, bunker fuel, lubricants, and asphalt. Crude oil that is upgraded in quality through residue reduction or other means shall be transported as provided in subparagraphs (A) and (B).</li> <li>(iii) Subparagraphs (A) and (B) shall apply only to new or expanded oil extraction operations. "New extraction operations" means production of offshore oil from</li> </ul>	

**Coastal Act Consistency Analysis**

<p align="center"><b>California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy</b></p>	<p align="center"><b>Consistency Discussion</b></p>
<p>leases that did not exist or had never produced oil, as of January 1, 2003, or from platforms, drilling island, subsea completions, or onshore drilling sites, that did not exist as of January 1, 2003. "Expanded oil extraction" means an increase in the geographic extent of existing leases or units, including lease boundary adjustments, or an increase in the number of well heads, on or after January 1, 2003.</p> <p>(iv) For new or expanded oil extraction operations subject to clause (iii), if the crude oil is so highly viscous that pipelining is determined to be an infeasible mode of transportation, or where there is no feasible access to a pipeline, shipment of crude oil may be permitted over land by other modes of transportation, including trains or trucks, which meet all applicable rules and regulations, excluding any waterborne mode of transport.</p> <p>(8) If a state of emergency is declared by the Governor for an emergency that disrupts the transportation of oil by pipeline, oil may be transported by a waterborne vessel, if authorized by permit, in the same manner as required by emergency permits that are issued pursuant to Section 30624.</p> <p>(9) In addition to all other measures that will maximize the protection of marine habitat and environmental quality, when an offshore well is abandoned, the best achievable technology shall be used.</p> <p>b) Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.</p> <p>c) Nothing in this section shall affect the activities of any state agency that is responsible for regulating the extraction, production, or transport of oil and gas.</p>	



**Coastal Act Consistency Analysis**

<p align="center"><b>California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy</b></p>	<p align="center"><b>Consistency Discussion</b></p>
<p><b>CCA Section 30263_Refineries or petrochemical facilities</b></p> <p>(a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.</p> <p>(b) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from in plant processes where feasible.</p>	
<p><b>CCA Section 30265_Legislative findings and declarations; offshore oil transportation</b></p> <p>The Legislature finds and declares all of the following:</p> <p>(a) Transportation studies have concluded that pipeline transport of oil is generally both economically feasible and environmentally preferable to other forms of crude oil transport.</p> <p>(b) Oil companies have proposed to build a pipeline to transport offshore crude oil from central California to southern California refineries, and to transport offshore oil to out-of-state refiners.</p> <p>(c) California refineries would need to be retrofitted if California offshore crude oil were to be used directly as a major feedstock. Refinery modifications may delay achievement of air quality goals in the southern California air basin and other regions of the state.</p> <p>(d) The County of Santa Barbara has issued an Oil Transportation Plan which assesses the environmental and economic differences among various methods for transporting crude oil from offshore California to refineries.</p>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County and, therefore, this policy is not applicable.</p>

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<p>(e) The Governor should help coordinate decisions concerning the transport and refining of offshore oil in a manner that considers state and local studies undertaken to date, that fully addresses the concerns of all affected regions, and that promotes the greatest benefits to the people of the state.</p>	
<p><b>CAP Energy and Industrial Facilities Policies</b></p> <ol style="list-style-type: none"> <li>1. All land between U.S. Highway 101 (Ventura Freeway) and the shoreline; or land designated "Residential," "Recreational," or shown as "Environmentally Sensitive Habitat," will be considered as unacceptable for new energy and industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.</li> <li>2. Within the land area between U.S. Highway 101 (Ventura Freeway) and the landward coastal zone boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone, or expansion of existing facilities will be permitted, unless located in an area designated "Industrial."</li> <li>3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the development of onshore oil and gas resources in the coastal zone are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See the Coastal Zoning Ordinance (including, but not limited to Section 8175-8.7) for a list of standard oil development design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and the location.</li> <li>4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3, and shall include: <ol style="list-style-type: none"> <li>a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.</li> </ol> </li> </ol>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County and, therefore, this policy is not applicable.</p>

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<ul style="list-style-type: none"> <li>b. Plans for the consolidation, to the maximum extent feasible, of drilling and/or production facilities, as well as accessory facilities.</li> <li>c. A phasing plan for the staging of development that indicates the approximate anticipated timetable for project installation, completion and decommissioning.</li> <li>d. A plan for eliminating or substantially mitigating adverse impacts on habitat areas, prime agricultural lands, recreational areas, scenic resources and archaeological sites due to siting, construction, or operation of facilities.</li> <li>e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any development requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00- 108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.</li> <li>f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 7 (below), transshipment of crude oil and gas shall be through on-shore pipeline.</li> <li>g. A description of the procedures for the transport and disposal of all solid and liquid wastes.</li> <li>h. Oil spill prevention and control measures.</li> <li>i. Fire prevention procedures.</li> <li>j. Emission control equipment.</li> </ul>	

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California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<p>k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.</p> <p>l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the Coastal Zone related to oil and gas development.</p> <p>m. All facilities supporting oil and gas development must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the development and submittal of a Storm Water Pollution Prevention Plan.</p> <p>5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent feasible, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.</p> <p>6. All anticipated future offshore oil and gas production in the eastern Santa Barbara Channel to be processed in Ventura County shall utilize the Rincon or La Conchita oil and gas processing facilities for onshore separation/treatment, unless it is not technically or economically feasible. <i>(North Coast Subarea Policy only)</i></p> <p>7. All future offshore oil and gas production coming on-shore in the Central Coast Area shall utilize existing facilities whenever economically and technically feasible. <i>(Central Coast Subarea Policy only)</i></p> <p>8. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.</p> <p>9. When feasible, pipelines shall be routed to avoid important coastal resources, including recreation, environmentally sensitive habitats and archaeological areas. Unavoidable routing through recreation, habitat, or archaeological areas, or other areas of significant coastal resource value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments</p>	

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<p>pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.</p> <p>10. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive coastal resources, and if so, shall require spacing at intervals which provide appropriate protection.</p> <p>11. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.</p> <p>12. All offshore to onshore pipelines shall, where feasible, be located at existing pipeline landfall sites, and shall be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "Environmentally Sensitive Habitat." (<i>North Coast Subarea Policy only</i>)</p> <p>13. Except for pipelines exempted from coastal development permits under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the coastal zone to determine what, if any, coastal resources may be impacted by construction and operation of a pipeline and any feasible mitigation measures. The costs of this survey shall be borne by the applicant, and may be conducted as part of environmental review if an Environmental Impact Report or Mitigated Negative Declaration is required for a particular project.</p> <p>14. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous grade and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and</p>	

## Coastal Act Consistency Analysis

California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy	Consistency Discussion
<p>submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at grade level and compacted if necessary. All sites previously covered with native vegetation shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.</p> <p>15. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.</p> <p>16. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.</p> <p>17. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, under grounding shall be required where it is technically and economically feasible unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.</p> <p>18. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal</p>	

**Coastal Act Consistency Analysis**

<p align="center"><b>California Coastal Act (CCA) or Coastal Area Plan (CAP) Policy</b></p>	<p align="center"><b>Consistency Discussion</b></p>
<p>Clean Air Act (42 USC § 7627), all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.</p> <p>19. As land becomes available, permanent service bases shall be encouraged to locate at the Port of Hueneme where similar uses are located and adequate harbor facilities are available. <i>(Central Coast Subarea Policy only)</i></p> <p>20. Should crude oil pipelines need to be enlarged in the future, or a new pipeline installed, the route shall follow existing pipeline corridors, if feasible. <i>(Central Coast Subarea Policy only)</i></p> <p>21. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or “components”), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.</p> <p>22. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas development and an energy-related industrial facility supporting such development is defined as “coastal-dependent development” or “coastal-related development”, based on the specific geographic, technological, and economic characteristics of the project being proposed.</p>	
<p><b>Subject: Hazards</b></p>	
<p><b>CAP General Hazards Policies</b></p> <ol style="list-style-type: none"> <li>1. The County's existing General Plan Goals, Policies and Programs (Chapter 7, Hazards) provides direction for geologic, seismic, flood and fire hazard.</li> <li>2. New development shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.</li> <li>3. All new development will be evaluated for its impacts to, and from, geologic hazards (including seismics safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. Feasible mitigation measures shall be required where necessary.</li> </ol>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required, which involves discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p>

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<p>4. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include feasible mitigation measures which will be used in the proposed development.</p> <p>5. Structures for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This setback may be increased when geologic conditions warrant.</p> <p>6. New development shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.</p> <p>7. The North Coast portion of the Santa Ynez Mountains requires special attention, and the following formula and minimum lot sizes will be utilized as new land divisions are proposed in the "Open Space" or "Agricultural" designations (<i>North Coast Subarea only</i>):</p> <p style="margin-left: 40px;">a. The following slope/density formula will be used to compute the average slope of property proposed to be subdivided: <math>S = (100)(I)(L)/A</math></p> <p style="margin-left: 40px;">where:</p> <p style="margin-left: 40px;">S = average slope (%)</p> <p style="margin-left: 40px;">I = contour interval (ft.)</p> <p style="margin-left: 40px;">L = total length of all contour lines (ft.)</p> <p style="margin-left: 40px;">A = total area of the lot (sq. ft.)</p> <p style="margin-left: 40px;">b. Once the average slope has been computed, the following table will be used to determine a minimum lot size for newly proposed lots:</p> <p style="margin-left: 40px;">0% - 15% = 10 acres</p> <p style="margin-left: 40px;">15.1% - 20% = 20 acres</p> <p style="margin-left: 40px;">20.1% - 25% = 30 acres</p> <p style="margin-left: 40px;">25.1% - 35% = 40 acres</p> <p style="margin-left: 40px;">35.1% &amp; above = 100 acres</p>	<p>The amendment to the CZO solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendment to the CZO are consistent with this policy.</p>



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<p>8. A landscaping plan for fire and erosion control will be submitted for any new development located in high fire hazard areas. As many native plants as feasible should be used. Information on kinds and sources of these plants are available through the County. (<i>North Coast Subarea Policy only</i>)</p> <p>9. The flood plain of the Santa Clara River will be limited to open space of agricultural uses to minimize flood hazard risk. (<i>Central Coast Subarea Policy only</i>)</p>	
<p><b>CAP Beach Erosion Hazards Policies</b></p> <ol style="list-style-type: none"> <li>1. Proposed shoreline protective devices will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.</li> <li>2. All shoreline protective structures which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.</li> <li>3. A building permit will be required for any construction and maintenance of protective shoreline structures, such as seawalls, jetties, revetment, groins, breakwaters and related arrangements.</li> <li>4. The County's Building and Safety Department will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream structures, net littoral drift, and downcoast beach profiles.</li> <li>5. If the potential environmental impacts of the proposed structure are considered significant by the Public Works Agency, the applicant will then be required to obtain an engineering report that specifies how those impacts will be mitigated.</li> <li>6. Permitted shoreline structures will not interfere with public rights of access to the shoreline.</li> </ol>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p> <p>The amendment to the CZO solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>

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<p>7. During their scheduled dredging of Channel Islands Harbor, the Army Corps of Engineers is encouraged to replenish beaches with severe erosional losses consistent with environmental restraints on the deposition of dredge spoils. <i>(Central Coast Subarea Policy only)</i></p> <p>8. Construction or maintenance of shoreline structures will be limited to only those projects needed to protect existing development, public recreation, and existing roads from beach erosion. <i>(South Coast Subarea Policy only)</i></p>	
<p><b>Subject: General Coastal Resources</b></p>	
<p><b>CCA Section 30001_Legislative findings and declarations; ecological balance</b></p> <p>The Legislature hereby finds and declares:</p> <ul style="list-style-type: none"> <li>(a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.</li> <li>(b) That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.</li> <li>(c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.</li> <li>(d) That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.</li> </ul>	<p><b>Consistent.</b> The Hemp Regulations would regulate production of hemp cultivation on agricultural land in the coastal areas of the unincorporated area of Ventura County. As with any agricultural operation, if there is proposed new development and/or an expansion of an existing hemp operation that does not qualify under the Categorical Exclusion Order, a Coastal Planned Development Permit would be required. Under circumstances where proposed development associated with the Hemp Regulations would not qualify for the Categorical Exclusion, the development would be subject to discretionary review, including consistency with the Coastal Area Plan policies and Coastal Act Policies, environmental review and conditions of approval.</p> <p>The amendment to the CZO solely provides notice of the Hemp Regulations and has no other effect. Therefore, the Hemp Regulations and the amendments to the CZO are consistent with this policy.</p>