

February 4, 2002

To: Sutter County Planning Commission

Re: Agenda Item #7: Public hearing on Use Permit #01-28 for the conversion of an existing natural gas well to a brine water injection well; AG (General Agricultural) District; located on the north side of Subaco Road, east of State Highway 113 (George Washington Boulevard); A. P. #25-200-017; applicant – Advanced Eco-Tec/property owners - Jim & Aldean Akin (Location: District 5 - Commissioner Shannon)

### **Current Proposal**

#### A. Project Description:

The project is a commercial injection well for the disposal of brine wastewater. The brine is collected during the process of cleaning and liquefying natural gas from producing gas wells in the region. It is basically water with salt and trace mineral element. The injection well will inject the brine back into the ground at a subsurface depth of 7,220 to 7,247 feet below the surface. Anticipated traffic to the site is expected to be six vehicles per day including employees. The use proposes no structures for human habitation and will consist only of the existing well, several tanks and sumps for the temporary storage of brine wastewater, a tank manifold, an injection pump system, and a parking and turn-around area. The applicant has indicated that the injection well would receive brine from gas wells located within a 50-mile radius.

Access to the site is from State Highway 113 via Subaco Road. Subaco Road east of Highway 113 is maintained by Sutter County as a dirt roadway.

#### B. Environmental Consideration:

An Initial Study was prepared to examine potential impacts of the injection well (Exhibit C). That study found that the project will not have a significant effect on the environment; therefore, a Negative Declaration is recommended.

## **Background**

### A. Property Description:

The project is located in an agricultural area. Agricultural uses are a mixture of open field crops and rice lands. Adjacent to the site to the immediate west is an irrigation/drainage canal. There are no farm buildings or residences within a mile of the site. Immediately across Subaco Road on the south side of the road is a natural gas processing facility. There have been several natural gas wells approved by the County in the immediate vicinity; however, as of the date of the field inspection only a couple of the wells appear to have been recently operational.

The site is located approximately 1/3 of a mile off of Highway 113. It is accessed from Highway 113 via Subaco Road. Subaco Road is maintained by the County as a dirt road for farm access. During periods of substantial rainfall, Subaco Road east of Highway 113 tends to become quite muddy and impassable for all vehicles except those equipped for deep mud.

### B. Surrounding Land Use, Zoning Classification, and General Plan Designation:

	<b>Use</b>	<b>Zoning</b>	<b>General Plan</b>
<b>Subject Property</b>	Agricultural with an existing natural gas well	AG	Agricultural (80 acres parcel minimum)
North	Agricultural	AG	Agricultural (80 acres parcel minimum)
East	Agricultural	AG	Agricultural (80 acres parcel minimum)
South	Agricultural with a small natural gas liquefaction facility	AG	Agricultural (80 acres parcel minimum)
West	Agricultural	AG	Agricultural (80 acres parcel minimum)

### C. Previous Commission Actions and/or Policies:

In 1980 your Commission approved Use Permit #929 for the exploration and operation of a natural gas well on the subject property. That well is the subject of the proposed injection well.

During the mid-1980's, your Commission approved two similar use permits for injection wells in Sutter County. Both wells were restricted to the disposal of wastewater generated in Sutter County.

Goal 4.H of the General Plan provides for the encouragement of the extraction of commercial resources “. . . where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately mitigated.”

## **Staff Comments**

A. Pacific Gas and Electric Company:

See attached letter of January 16, 2002 (Exhibit D).

B. Office of Sheriff/Coroner:

Use Permit #01-28 (Advanced Eco-Tech) has been reviewed. We find there is no anticipated impact on our services.

C. Public Works Department (PW):

See attached memo of January 17, 2002 (Exhibit E).

D. Planning (P):

The applicant proposes to operate the well as a commercial injection well. Brine water from natural gas wells in the area (within 50 miles) will be brought to the site and injected back into the ground at a depth of 7,220 to 7,247 feet below the surface. The injection well casing is sealed in concrete to a depth of 780 feet, well below sub-surface irrigation water depth of 490 feet (see Exhibit F –Well Casing Design).

During the field inspection of the area staff was unable to reach the site due to the muddy roadway conditions. Truck traffic on Subaco Road had torn up the roadway surface to such a degree that the roadway was impassable except by vehicles equipped for heavy mud/off-road use. In order to provide year-round access, the Public Works Department has recommended roadway improvement conditions similar to the Zoning Code's requirements for access improvements. These conditions are consistent with the intended use and are necessary to provide minimum safety requirements for the protection of life and property, for the protection of existing public improvements, or to comply with code requirements. This use, subject to the recommended conditions, is not expected to create negative impacts on adjacent properties or adversely affect the public's health, safety, or general welfare.

The proposed use is a support service for the extraction of resources, and, as such has previously been allowed by use permit in the Ag District and has previously been determined to be consistent with the General Plan for location within an agricultural area.

## **Recommended Findings**

Based upon information contained in the staff report and/or testimony received at the public hearing, the Planning Commission finds:

- A. An Initial Study was prepared to analyze the potential impacts of the proposed injection gas well on the subject property. The study concluded that the project would not have a

significant impact on the environment; therefore, the adoption of a Negative Declaration is appropriate.

- B. The Planning Commission has independently reviewed, analyzed, and considered the Initial Study and proposed Negative Declaration prior to making its decision on the project and finds that the Negative Declaration reflects the independent judgment of the County of Sutter.
- C. The proposed use is consistent with the Sutter County Zoning Code and the Sutter County General Plan.
- D. The application, as submitted and subject to the conditions of approval, will not be detrimental to the public's health, safety, or general welfare, or be detrimental to public or private improvements in the area.
- E. Improvements required as conditions of approval are consistent with the property's for the operation of an injection well in an agricultural area in order to provide an adequate level of services providing for the public's health, safety and general welfare and/or in order to conform to regulations of the Sutter County Ordinance Code.

### **Recommended Action**

- A. Adopt the recommended findings.
- B. Approve the use permit for the operation of an injection well subject to the following conditions:

### **On-going**

1. A Notice of Determination including any fees shall be filed in the Office of the County Clerk within five (5) days of the end of the ten-(10) day appeal period. (P)
2. The property shall be used in substantial accord with the project description and site plan included in the agenda report. (P)
3. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment except as describe in the staff report. (P)
4. No grading or alteration of the existing terrain that would direct additional waters to the County road shall be done without the approval of the Department of Public Works. (PW)

**Prior to Commencement of Water Injection**

5. Encroachment permits are to be obtained from the Public Works Department for any new driveway or road connections to be made to existing County roads. Construct new driveway(s) to current County standards. (PW)
6. Building pads shall be at elevations in conformance with Section 1300-022(F) of the Sutter County Ordinance Code, as defined by Resolution No. 92-124. (PW)
7. The property owner shall make the following roadway improvements at his sole cost to Subaco Road along the property frontage east of State Route 113 to the end of the project site for a total of 1,960 feet. (PW)

Roadway:

- Place eight (8) inches of Class 2 aggregate base along the northern and southern halves of Subaco Road. Road width shall be 20 feet.

Shoulders:

- Place four (4) inches of Class 2 aggregate base or seven (7) inches of Butte Rock base with a 3/4 inch maximum grading requirement along the northern and southern shoulders of Subaco Road. Shoulder widths shall be 4 feet.

8. The applicant shall complete and file with the Sutter County Office of Emergency Services a "Hazardous Materials Business Plan and Inventory" or sign and return an Exemption Statement. (P)

Sincerely,

THOMAS A. LAST  
PRINCIPAL PLANNER

Dale Follas  
Associate Planner

Attachments: Exhibit A - Study Sketch  
Exhibit B - Site Plan  
Exhibit C - Negative Declaration and Initial Study  
Exhibit D - Letter from P. G. & E. dated January 16, 2002  
Exhibit E - Memo from Sutter County Public Works Department dated January 17, 2002.  
Exhibit F - Well Casing Design

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