

August 3, 2011

John McKenzie, Project Manager
SLO County Planning
976 Osos St. Room 300
San Luis Obispo, CA 93408
jdmckenzie@co.slo.ca.us

RE: Excelaron Industrial Oil Drilling Project

Dear Mr. McKenzie:

A title search shows the owners of the project site parcel (APN 085-271-004) to be David D. Mankins and Marlene E. Mankins Revocable Trust, the Joan and E. Christopher Wineman Family Trust and the Diana Farage Revocable Trust, yet none of those names appear on the Excelaron/Mankins CUP application. The EIR should include the San Luis Obispo County "Power of Attorney" and "Consent of Owner" forms giving Howard Mankins authority to sign the project application as the property owner's representative.

In addition, all contracts pertaining to recorded road easements for all parcels of private land along which project traffic will travel should become project documents subject to the environmental review and permitting processes. The authority of the signers on all road easements agreements and contracts should be authenticated by the county in order to ensure that the proposed haul route is legally accessible to the project applicant for the life of the project.

The details of the agreements, especially the length of the contracts, the assumed liability in the case of accidents, the responsibility for determination of a "passable" road, and the agreement for maintenance of the roads should be fully disclosed as part of the project description. These issues must be addressed and agreed upon by all parties involved in order for the EIR to adequately analyze the feasibility of the haul route road use and to construct mitigations regarding road use.

The EIR is lacking adequate engineering for the upgrading roadwork on the private roads along the haul route. These roads do not fall under any agricultural exemptions, as they will service an industrial facility. These private roads will likely require a minor use permit, which must be evaluated and processed in conjunction with the Excelaron/Mankins Conditional Use Permit. The project must be revised to include detailed analysis of the impacts of the construction needed on the haul roads to transport oil from the project. City of Santee v. County of San Diego (1989) 214 Cal.App.3d 1438, 1450.

Sincerely,
Tracy Del Rio
Huasna Property Owner