

# EMERGENCY PERMIT

## 15EMP-00000-00005



This Emergency Permit is subject to the requirements of Section 35-171.2 of the Article II Coastal Zoning Ordinance and the policies of the Coastal Land Use Plan.

**Case Name:** Plains All American Pipeline Refugio Oil Spill  
**Case Number:** 15EMP-00000-00005  
**Site Address:** 13600 Calle Real, Goleta  
**APN:** 081-210-047, -022  
**Applicant/Agent Name:** James C. Buchanan, Plains Pipeline, L.P.  
**Owner/Operator Name:** Plains Pipeline, L.P.



South County Office  
123 E. Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2000

Energy Division  
123 E. Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2040

North County Office  
624 W. Foster Road  
Santa Maria, CA 93454  
(805) 934-6250

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## PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for:

*Cleanup activities associated with an oil spill, including mechanized cleanup equipment on the sandy beach from Refugio State Park to the Goleta area. This Emergency Permit does not authorize operation of the pipeline.*

*According to the applicant Plains Pipeline, L.P.:*

- *On May 19, 2015, an estimated 101,000 gallons or 2,400 barrels of crude oil (according to Plains Pipeline, L.P.) were released from the Plains All American Pipeline, a 24-inch diameter, 10-mile long buried pipeline (Line 901) that transports crude oil from the Las Flores Canyon Processing Facility to the main All American Pipeline (Line 903) system at Gaviota.*
- *The pipeline ruptured several hundred yards north of Highway 101, and oil traveled through a culvert to the Pacific Ocean approximately 1/4 mile west of Refugio State Beach.*
- *The oil subsequently traveled down the coast towards the Goleta area, impacting beaches in the vicinity and beyond Santa Barbara County.*

*Cleanup activities will generally include the following. A more detailed description is included on pages 10-19:*

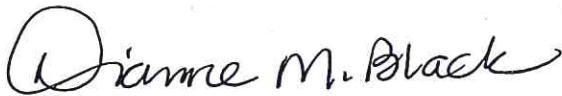
- *Ocean clean-up:*
  - *Activities include skimming crude from the water surface, collecting free floating crude near the shore, boom deployment at protected estuaries and along the shoreline*
  - *Equipment includes several boats, helicopters (for aerial observation), boom, shoreline boom, boom deployment equipment and skimmers*
  - *Staging/storage area: staged at Port Heuneme*
  - *Decontamination site: at TNT yard at Port Heuneme*
- *Beach clean-up:*
  - *Activities include pick-up and removal of impacted materials (mostly contaminated soil and vegetation), collection of impacted wildlife, decontamination of contaminated protective equipment, and identification of environmental and cultural resources*
  - *Equipment includes personnel trailers, food-service vehicles, roll-off bins for collection of impacted materials, hand labor with buckets, shovels, rakes, and garbage bags; all-terrain vehicles (ATVs) will be utilized; however, no heavy equipment is involved with beach clean-up*
  - *Staging/storage area: Refugio Beach parking lot*
  - *Decontamination site: Refugio Beach parking lot*
- *Other activities:*
  - *In the event of a storm, it may be necessary to position dams and containment at watercourses (streams) that could be impacted by the incident*

- *Equipment potentially includes, but may not be limited to, containment boom, sand bags, and visqueen*

*All roll-off bins and baker tanks may be staged at the Freeport-McMoRan Gaviota Plant during (and subsequent to) clean-up and remediation activities.*

Therefore, this situation constitutes an emergency in accordance with the Article II Coastal Zoning Ordinance and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the owner/applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,



for GLENN RUSSELL, PH.D.  
Director

APPROVAL DATE: July 3, 2015

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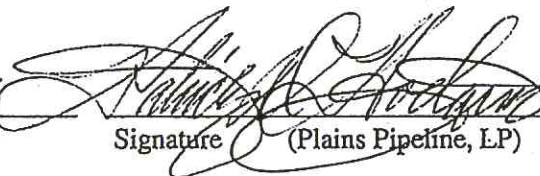
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**OWNER/APPLICANT AGREEMENT:**

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit, Building Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County of Santa Barbara to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County of Santa Barbara to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.
- Owner/Applicant acknowledges and agrees to adhere to the original Final Development Plan conditions of approval from 88-DPF-033.
- This Emergency Permit does not authorize operation of the pipeline.

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PATRICK D. HODGINS            07/03/15  
Owner/Operator                      Signature                      (Plains Pipeline, LP)                      Date

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**PERMIT ISSUANCE:**

for Dianne M. Black            7/03/15  
Glenn Russell, Ph.D.                      Signature                      (Planning & Development)                      Date

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## **BACKGROUND:**

According to the applicant, Plains Pipeline, L.P.:

- Plains Pipeline, L.P. (Plains) owns and operates Line 901, a 24-inch diameter, 10-mile long buried pipeline that transports crude oil from the Las Flores Canyon Processing Facility to the Gaviota Oil & Heating Facility (GOHF) at Gaviota. Line 901 was originally permitted by the County under a Final Development Plan (88-DPF-033) in 1988. The Pipeline was constructed from 1989 to 1991 and operations began on June 28, 1991.
- On May 19, 2015, an estimated 101,000 gallons or 2,400 barrels of crude oil (according to Plains Pipeline, L.P.) were released from the Plains All American Pipeline into the environment.
- The pipeline ruptured approximately one hundred yards north of Highway 101, and oil traveled through a drainage culvert to the Pacific Ocean approximately ¼ mile west of Refugio State Park.
- The oil subsequently traveled both east and west from the spill site, impacting beaches in the vicinity and as far away as Los Angeles County.

On May 20, the Director of Planning and Development gave verbal and email authorization to Plains to conduct emergency response operations pursuant to the County's Article II Coastal Zoning Ordinance.

Emergency response operations were immediately initiated under the direction of a Unified Command led by the United States Coast Guard and the United States Environmental Protection Agency (EPA), in consultation with the California Department of Fish and Wildlife, County OEM and Plains All American Pipeline. Emergency response operations to date have included: excavation of contaminated materials at the spill site and along the coastal bluff top; excavation, removal and repair of the damaged section of pipeline; cleaning of culverts; excavation and repair of four pipeline anomalies located west of the spill site; removal of contaminated sand from beaches; cleaning of rocks and coastal cliffs; and on-water operations for oil containment and removal.

## **FINDINGS OF APPROVAL:**

- 1. The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State and Federal Law.**
- 2. In compliance with Section 35-171.5.2 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for an Emergency Permit the Director shall first make all of the following findings:**
  - a. An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit.*



The oil spill described on Page 2 herein meets the definition of an emergency as defined in the Article II Coastal Zoning Ordinance: "A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services." The proposed response activities were, and continue to be required to immediately abate the human health and ecological risks posed by the oil spill. Because of the nature of the emergency, response activities have taken longer than the 30 days as specified in the attached project description. Therefore, this finding can be made.

***b. Public comment on the proposed emergency action has been reviewed.***

Pursuant to Section 35-171.5.1 (noticing requirement) of the Santa Barbara County Article II Coastal Zoning Ordinance, a public notice describing the nature of the emergency and response activities was mailed to all property owners and residents within 300 feet of parcels located adjacent to the ocean in the vicinity of the reported spill location, from the Tajiguas area to Coal Oil Point. Notice was also posted in three locations near the spill location and rupture point. These noticing procedures were completed in accordance with the requirements of Section 35-171.5.1. No written public comments were received and one verbal comment was provided. The public has had an opportunity to comment on this emergency permit; oral comments received have been noted by P&D and were considered prior to approval of this emergency permit. The public will have additional opportunity to comment on the actions permitted via this permit during the noticing and processing of required follow-up permit, including the environmental review process, which is currently in process with P&D. Therefore, this finding can be made.

***c. The action proposed is consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance.***

The County's Coastal Land Use Plan (CLUP) includes policies which aim to protect, maintain and restore the environment, including both the natural and man-made environments. In order to ensure the protection of the health and safety of the public and the preservation of the environment, Plains has been required to implement the Oil Spill Contingency Plan associated with Final Development Plan (88-DPF-033) which authorized construction of the subject pipeline. The emergency action taken by Plains is allowed under the Article II Coastal Zoning Ordinance which recognizes that certain actions warrant immediate, special consideration in order to lessen or remediate an emergency. Impacts to biological, archaeological and recreational resources from the emergency work have been mitigated to the extent feasible by the imposition of the permit conditions in 88-DPF-033 which were required to ensure consistency with the CLUP, including on site monitoring during emergency work by the County's Environmental Quality Assurance Program (EQAP) monitor, other State and Federal agencies, archaeologist, and Native American monitor, and through restricted access. Additionally, a portion of the beach cleanup activities are located within the Goleta Community Plan (GCP) area, and therefore, relevant policies from the GCP are included in the consistency discussion below for those portions of the project.

The emergency action is consistent with the Coastal Land Use Plan and the Goleta Community Plan as described below with reference to applicable policies.



Coastal Land Use Plan Policy 2-11: All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.

Coastal Land Use Plan Policy 9-36: When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.

Goleta Community Plan Policy BIO-GV-11: Wetland areas and surrounding habitats that have been damaged by pollution and artificial stream channelization shall be restored to their natural condition to the maximum extent feasible.

Emergency work has been conducted, and will continue to be designed to minimize impacts to surrounding environmentally sensitive habitat areas, native vegetation, and water quality. These measures include minimizing work areas (Condition 13), identifying nearby environmentally sensitive habitats on project maps for avoidance (Condition 11), requiring creek setbacks (Condition 10), and limiting decontamination/wash off activities to contained areas located away from biological resources (Condition 12). Emergency work will remain confined to clearly designated areas (for clean-up, excavation, storage and staging of construction equipment, decontamination of equipment, and site access) and the County's Environmental Quality Assurance Program (EQAP) monitor will be onsite to ensure that activities are sited, designed, and constructed to minimize impacts to surrounding habitat areas and resources. Following completion of work, areas of disturbance will be restored to their natural condition and revegetated pursuant to Plains Pipeline, L.P.'s approved Restoration, Erosion Control, and Revegetation Plan approved as part of Case No. 88-DPF-033 (Condition 13).

Coastal Land Use Plan Policy 3-19: Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

Goleta Community Plan Policy BIO-GV-19: Pollution of streams, sloughs, drainage channels, underground water basins, estuaries, the ocean and areas adjacent to such waters shall be minimized.

Goleta Community Plan Policy RISK-GV-1: Safety measures shall be required as part of project review to minimize the potential for risk of upset and public safety impacts within the Goleta Community Planning area.

In order to limit the amount of contaminated materials from being discharged into sensitive habitats, streams, or wetlands during emergency response work, wash-off activities to remove contamination from equipment will be confined to designated decontamination sites, which are contained and located away from waterways (Condition 12). Contaminated materials and waste



water will continue to be stored in plastic bags, bins, and baker tanks before being removed from the site for testing and disposal as identified in the project description below. The proper disposal of oil and materials that were in contact with oil during the removal are being managed in accordance with the Waste Management Plan as approved by the Unified Command dated May 21, 2015. Stockpiling of contaminated materials will be avoided to the maximum extent feasible.

In addition, lubrication and fueling activities will be prohibited from occurring within 0.25-miles from creeks to prevent fuel spills into waterways (Condition 10). Implementation of these permit conditions will minimize impacts to water quality and pollution of streams, sloughs, drainage channels, and the ocean. These measures will also minimize the potential for risk of upset and public safety impacts along the ocean.

*Coastal Land Use Plan Policy 3-6: Development and activity of any kind beyond the required bluff-top setback shall be constructed to ensure that all surface and subsurface drainage shall not contribute to the erosion of the bluff face or the stability of the bluff itself.*

Emergency work has, and will continue to take place within the required bluff-top setback (Sections 4, 5), where oil flowed over the cliff edge and down to the base (See Attachment B). An area of contamination remains at the top of the cliff and along the face. A remediation plan is under design and will be implemented for this area and will include measures to minimize erosion of the bluff face and buttress bluff stability, including placement of rip-rap at drainage outflows to prevent erosion (Condition 7). Work will be conducted such that it not contribute to erosion of the cliff face or destabilize the cliff to the maximum extent feasible. A restoration plan will also be designed and implemented for work within Section 4 (Condition 7).

*Coastal Land Use Plan Policy 3-13: Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.*

Excavation activities were conducted at the five impact areas shown on Attachment B. Cut and fill operations have been limited to the locations and amounts necessary to remove contamination and repair the ruptured pipeline. The pipeline was excavated at four locations to inspect and repair additional pipeline anomalies, and two additional locations to install a vent and pressure gauge to purge remaining crude oil from Line 901 into Line 903. Once all necessary repair activities have been completed, the pipeline will be backfilled and areas of disturbance will be restored and revegetated pursuant to Plains Pipeline, L.P.'s approved Restoration, Erosion Control, and Revegetation Plan associated with Case No. 88-DPF-033 (Condition 13). An Excavation Backfill and Site Restoration Plan will be prepared for the release site (Section 1) and bluff area (Section 4) as shown in Attachment B (Condition 7). The County's EQAP monitor will continue to be onsite during excavation activities to ensure that emergency work is carried out with the least amount of alteration to the natural terrain as possible.

*Coastal Land Use Plan Policy 3-18: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained on-site whenever possible to facilitate groundwater recharge.*



The emergency action will not result in new impervious surfaces. The pipeline has been excavated in six locations to allow for inspection and repair. Once all necessary repair activities have been completed, the site areas will be backfilled and restored to their natural contours. In the interim, best management practices to limit erosion will continue to be implemented. In the event of a storm event, dams and containment will be placed at watercourses to prevent erosion and protect water quality. Equipment may include a containment boom, sand bags, and visqueen.

Coastal Land Use Plan Policy 10-2: When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.

Goleta Community Plan Policy HA-GV-1: Significant cultural, archaeological and historical resources in the Goleta area shall be protected and preserved to the maximum extent feasible.

Coastal Land Use Plan Policy 10-3: When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.

Coastal Land Use Plan Policy 10-4: Off-road vehicle use, unauthorized collecting of artifacts, and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.

Coastal Land Use Plan Policy 10-5: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.

Emergency work activities were conducted in five impact areas (Sections 1-5) located in the vicinity of the spill site (See Attachment B). Designated work areas for clean-up activities, excavation, storage and staging of construction equipment, decontamination, and access to and from the site have been reduced to the maximum extent feasible and are clearly defined to minimize impacts to potential archaeological and cultural resources in the vicinity. Prior to excavation of the pipeline, pre-construction surveys were conducted to identify potential resources in the vicinity, which is consistent with Condition 15 of this emergency permit. Resource findings will be properly documented and the appropriate parties will be notified (Condition 14). In addition, requiring onsite monitoring by archaeologists, Native American representatives, and the County EQAP monitor (Condition 9) will help ensure that impacts are avoided to the maximum extent feasible and that Native Americans will be consulted when response activities are proposed which could impact archaeological or cultural sites.

Based upon the foregoing, a finding is made that the action proposed is consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance.

- This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects.**

The emergency response activities authorized by this permit are considered exempt from



CEQA pursuant to Guidelines Section 15269(c) which exempts “specific actions necessary to prevent or mitigate an emergency.” The response activities identified in the project description are intended to mitigate the oil spill emergency by limiting the further spread of oil into the environment and by physically cleaning up contamination that directly resulted from the oil spill. Therefore, this finding can be made.

- 4. Additional finding required for sites within the Goleta Community Plan area. In compliance with Section 35-192.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Emergency Permit on sites within the Goleta Community Plan area the review authority shall first find that the project meets all the applicable development standards included in the Goleta Community Plan of the Land Use Element of the Comprehensive Plan.**

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As discussed above in Finding No. 2.c above, and hereby incorporated by reference, the proposed emergency actions are consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance and are therefore consistent with the Goleta Community Plan of the Land Use Element of the Comprehensive Plan. Therefore, this finding can be made.

## **EMERGENCY PERMIT CONDITIONS OF APPROVAL**

Pursuant to the authority of Section 35-171.5.2, the Director may grant an Emergency Permit upon reasonable terms and conditions, those conditions are as follows:

1. This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all authorization for development.

### **The project description is as follows:**

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**This project description includes a description of the areas impacted by the oil spill, details of completed response activities, and an overview of ongoing and planned future activities to be covered by this emergency permit. This emergency permit generally describes the whole of all emergency response activities in the jurisdictions of Santa Barbara County, the City of Goleta and the California Coastal Commission. However, this permit only authorizes those portions of the response work that have, and would continue to occur within Santa Barbara County’s jurisdiction. Separate Emergency Permits may be issued by the City of Goleta and California Coastal Commission authorizing those portions of the response work located in their respective jurisdictions.**

### **Impact Areas**



Emergency response activities were conducted in five impact areas (sections) in the vicinity of the spill site, along regional beaches, and offshore in the Santa Barbara channel. The five sections are shown in Attachment B.

**Section 1.** Section 1 refers to the Release Site Excavation located on the north side of California Highway 101 (Highway 101) within the privately owned property boundaries of assessor parcel number (APN) 081-210-047. The excavation area encompasses Pipeline 901, as well as the berm located south of Pipeline 901.

**Section 2.** Section 2 refers to the Caltrans right-of-way encompassing the south and north bound lanes and shoulders of Highway 101 where crude oil passed through a series of stormwater culverts. Section 2 includes the drainage conduit termination point as well as a concrete drainage collection area. The concrete drainage collection area is comprised of three separate concrete swales, as well as the inlet for the drainage pipe that runs under Highway 101.

**Section 3.** Section 3 refers to the Union Pacific Rail Road (UPRR) tracks and right-of-way south of Highway 101 where oil flowed through stormwater culverts and under the railroad tracks. Section 3 includes the drainage pipe termination point and the inlet for the culvert pipe that runs under the UPRR track. The culvert measures approximately 20 linear feet from the inlet on the north of the tracks to the termination point on the south of the tracks

**Section 4.** Section 4 refers to the Bluff area that extends from the termination point of the culvert that runs under the UPRR track south to the edge of the cliff face along the Pacific Ocean. The Bluff excavation Area is generally longer than it is wide as it follows the path of historical drainage. Although the historic drainage path meanders, the length of the impacted area is approximately 300 feet. The width of the impacted area varies and is approximately 35 feet wide near the culvert (north) and narrowing down to a range of 10 to 15 feet in width near the cliff (south).

**Section 5.** Section 5 refers to the Cliff Face area that is located between the southernmost edge of the Bluff (Lip) and the high tide line at the base of the cliff. The Cliff Face is a near vertical bedrock surface and a soil and rock chute down-slope (rockslide) to the high-tide cobble zone at the base of the cliff. During the release, oil flowed along a narrow swale (Section 4) and then off the top of the sea cliff, along a near vertical bedrock surface, and along a soil and rock chute downslope to a cobble zone at the base of the cliff. Some oil seepage is continuing from bedrock near the base of the cliff. Although excavation of soil was performed in Section 4, due to safety considerations, an area of impacted soil and rock was left in place at the top of the cliff ("lip" area). Further evaluation of a means to remove impacted materials from this "lip" and areas located downslope to the base of the cliff is on-going.

**Refugio State Beach, El Capitan State Beach, and other beaches.** Assessment and response activities have generally occurred on stretches of beach between Gaviota and Oxnard. These stretches of beach were divided into numerous Divisions that are shown in Attachment A, which also include Refugio and El Capitan State Beaches. Limited



response operations were also conducted in Manhattan Beach. A 1,000 foot temporary flight restriction within a five mile radius of Refugio Beach is in effect through July 30, 2015. An internal incident flight restriction remains in effect within ½ mile, or an altitude of 500ft, as well as no hovering allowed in the vicinity of Coal Oil Point to protect Snowy Plover habitat.

Santa Barbara Channel (on water). On-water assessment and cleanup activities occurred in approximately 30 miles of marine waters off-shore Santa Barbara County. A 23 mile by six mile area offshore has been closed to fishing. California Fish and Wildlife Patrol Boat remains on scene to enforce fishery closure. Sampling for finfish and shellfish impacts are ongoing, in order to determine timeframes for reopening the closed fishery. Results are currently pending.

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### Ongoing Activities

A description of activities in-progress is provided below.

To the extent practicable, no stockpiling of contaminated materials has occurred or is currently occurring. All contaminated materials are placed directly into plastic bags and subsequently transferred to roll-off bins or loaded directly into roll-off bins for staging prior to oil quantification, waste characterization, and disposal/recycling.

- Sections 1 through 3 (Release Site and Highway Culverts)
  - According to Plains Pipeline, LP, the Release Site has been excavated and has generated approximately 3,500 cubic yards of impacted soils, 520 barrels of wash water, and 60 cubic yards of oily debris.
  - Activities include collecting (vacuuming) crude from the Release Site, excavation of impacted soil for removal to roll-off bins, pipeline evaluation and repair, cleaning of the culvert and impacted areas leading down to the ocean, soil removal confirmation sampling, and implementation of storm water pollution control measures.
  - Excavated soils are loaded directly into roll-off bins and staged at a designated location for sampling and analysis prior to disposal. Once waste characterization analysis has been received and reviewed, contents of the roll-off bins are transported to an approved, designated disposal or treatment facility.
  - Equipment utilized in this area includes roll-off bins, track hoe excavators, hydro-excavator, front end loader, crane, water trucks, roll-off transportation trucks, welding and heavy-duty trucks, sheep foot roller compactors, other heavy equipment, baker tanks and vacuum trucks.
  - Staging/storage utilized in this area is located adjacent to the Release Site and at the Freeport-McMoRan Gaviota Plant and the Exxon/Mobil Las

**Flores Facility.**

- **Section 4 (Bluff)**
  - **Clean-up excavation has generated approximately 1,100 cubic yards of impacted soils and 195 cubic yards of vegetation/oily debris.**
  - **Activities include excavation of impacted soil for removal to roll-off bins, cleaning of the culvert and impacted areas leading down to the ocean, soil removal confirmation sampling, and implementation of stormwater pollution control measures.**
  - **Equipment utilized in this area includes roll-off bins, small track hoe excavators, skid steer loaders, crane, water trucks, roll-off transportation trucks, heavy-duty trucks, super suckers, vibratory compaction equipment, and other heavy equipment.**
  - **Staging/storage utilized in this area is located along Caltrans right-of-way (ROW) next to Highway 101, the Release Site, and at the Exxon Mobil Las Flores facility.**
- **Section 5 (Cliff Face)**
  - **Activities associated with this Section are pending approval of a specific remediation plan. A safety evaluation and a feasibility analysis of potential remedial activities have been completed. No equipment has been utilized in this area.**
  - **A plan for Section 5 has been submitted to the Refugio Incident Unified Command for review. It appears that the oily materials can be removed from the steep slope and lip using a specialized excavator called a spider excavator. The excavated materials will be transferred via helicopter to a staging area near Refugio Beach. With regard to endpoints, the objective of the work is to remove impacted material to the extent practical without jeopardizing safety. It appears that the stained rock surfaces (on cliff face) that cannot be safely excavated can be pressure washed.**
  - **Typical equipment needs include a specialized spider hoe excavator, helicopter, super sacks for the removal of impacted materials, crane in Section 4, heavy trucks, power washing equipment, generator, and sorbent booms**
- **Refugio State Beach, El Capitan State Beach, and other beaches**
  - **Clean-up activities as of June 18, 2015 have produced approximately 960 cubic yards of sand and 1,525 cubic yards of oily vegetation/debris**
  - **Activities include pick-up and removal of impacted materials, cleaning of**



**cobbles and hardscapes, assessment and collection of impacted wildlife, and assessment of environmental and cultural resources**

- **Equipment utilized in this area includes roll-off bins for collection of impacted materials, hand labor with buckets, shovels, and garbage bags, and all-terrain vehicles (ATVs). No heavy equipment is involved with beach clean-up**
  - **Staging/storage and decontamination sites utilized in this area are located within the beach parking lots**
- **Santa Barbara Coastal Zone (on water)**

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- **The skimming process has generated approximately 1,225 bbls (from approximately 51,450 gallons) of oily water and 275 cubic yards of oily debris**
  - **Activities include skimming crude from the water surface and subsurface, collecting free floating crude near the shore, boom deployment at protected estuaries and along the shoreline**
  - **Equipment utilized in this area includes several boats and barges, helicopter (for aerial observation), boom, shoreline boom, boom deployment equipment, skimmers and decontamination equipment**
  - **Staging/storage area: T&T Yard and Port Hueneme**
  - **Decontamination site: T&T Yard, Ventura Harbor, and Port Hueneme**

- **Pipeline Repair Activities**

**This Emergency Permit is for excavation and repair work associated with the pipeline, but does not authorize the applicant to resume pipeline operations. The United States Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) oversaw all repair operations. All excavations were surveyed to identify any existing or potential biological, cultural, and/or historic resources prior to construction. Monitoring, by the appropriate, qualified individuals occurred as needed.**

- **Anomaly Repairs. Pipeline anomaly investigation and repairs are in-progress at four (4) separate locations. The investigation and repairs occurred subsequent to the incident. To expose the affected segment of pipeline, a predetermined area was excavated. Once the anomaly location was exposed and examined, repairs were made to the pipeline. Repair included use of Kleen Blast 16-30 medium sand (environmentally safe, clean sand) to strip the original coating from the pipeline before applying**

either a welded, metal sleeve or a sleeve made of a composite material and epoxy, which is wrapped around the damaged area. Following investigation and repair of the anomaly, the pipeline was reburied using the excavated soils. A backhoe equipped with a sheep foot's roller compactor was used to compact the backfilled area to its pre-project conditions. All repairs have been made and backfill operations are in progress.

- Dig #1
    - located at 34.46301710, -120.09436323
    - Approximate dimensions: 8' deep, 12' X 12'
    - Approximately 42 cubic yards excavated
  - Dig #2
    - Located at 34.47380326, -120.15840636
    - Approximate dimensions: 8' deep, 12' X 8'
    - Approximately 28 cubic yards excavated
  - Dig #3
    - Located at 34.47372115, -120.15891969
    - Approximate dimensions: 8' deep, 12' X 8'
    - Approximately 28 cubic yards excavated
  - Dig #4
    - Located at 34.47332752, -120.18062438
    - Approximate dimensions: 9' deep, 16' X 10'
    - Approximately 53 cubic yards excavated.
- Release Site Repairs and Purging Remaining Liquids from Line 901

In addition to the activities described above related to the evaluation and repair of Line 901, which included replacement (approximately 82 linear feet) of the affected segment of pipe at the Release Site, it was necessary to excavate two (2) locations for the installation of a vent and pressure gauge for the purposes of purging remaining crude oil from Line 901 into Line 903 at Plains' Gaviota facility.

The linear high point of Line 901 was excavated to vent the pipeline during purge operations. Excavation measuring approximately 8' deep, 12' X 8' (Approximately 28 cubic yards of soil) occurred at approximate location latitude 34.467114, longitude - 120.081664. The high point vent required sandblasting, using Kleen Blast 16-30 medium sand (environmentally safe, clean sand), to strip the original coating from the pipeline. Subsequent to completion of line purging activity, the pipeline was recoated with DENSO Epoxy and backfilled using the excavated soils. A backhoe equipped with a sheep foot's roller compactor is used to compact the backfilled area to its pre- project conditions.

The gate valve location was exposed to install a pressure gauge to monitor line pressure during line purging activity. Excavation measuring approximately 8' deep, 12' X 8' (Approximately 28 cubic yards of soil) occurred at approximate location latitude 34.466854, longitude - 120.069218. Subsequent to completion of line purging activity, recoating and backfilling was accomplished as described above.



Temporary piping was installed at Plains' Las Flores facility for the purpose of injecting nitrogen (and water) into the line to displace the remaining crude oil from Line 901. Two temporary electric pumps were installed at Plains' Gaviota facility to pump the remaining crude oil from Line 901 into Line 903.

- **Decontamination and Staging Areas**

- **Decontamination Areas**

- **Ventura Harbor and Port Hueneme - Boat Decontamination:** Liquid waste water consists of decontamination water and hydrotest water stored in Baker Tanks. Hydrotest waste water is currently pending profile acceptance at DeMenno Kerdoon located in Compton, California. An estimated 60 truckloads of waste water will be shipped south via Highway 101 into Los Angeles County. An estimated three truckloads of oil will be shipped to Plains Pentland Station north along Highway 101 and then follows Interstate 166 east to Bakersfield, California
    - **Beaches - Personnel Protective Equipment and Associated Equipment Decontamination:** Oily impacted materials collected from beaches are staged at Refugio and El Capitan State Beaches. Bins are loaded onto trucks and shipped to Clean Harbors (located in Buttonwillow, California). The transportation route is north along Highway 101 and then follows Interstate 166 east. An estimated 98 truckloads will be shipped to Clean Harbors.

- **Solid Waste Bins**

- **Section 1: Impacted soils from the Release Site** are loaded onto trucks, and transferred for temporary staging and weighing at the Exxon Mobil Las Flores facility. Soils, once sampled for oil quantification, are ultimately shipped to Soil Safe Technologies (located in Adelanto, California) for soil recycling. The proper disposal of oil and materials that were in contact with oil during the removal are being managed in accordance with the Waste Management Plan as approved by the Unified Command dated May 21, 2015. In addition, these materials are managed in accordance local, state and federal regulations as well as the California Department of Fish and Wildlife (DFW) requirements. The primary staging areas for the soil roll-off bins are the Freeport-McMoRan facility in Goleta and the Exxon Mobil Las Flores facility. The truck route to the disposal facility is southbound along Highway 101 and east along the Interstate 126 once they enter Ventura County. An estimated 430 truckloads will be shipped to Soil Safe Technologies.
    - **Highway 101 at State Parks impact areas:** Storage and staging areas for equipment and vehicles along Highway 101 have been kept to the minimum extent feasible in coordination with the California



- Department of Transportation (Caltrans). Equipment includes a crane, roll-off bin(s), excavating equipment, and Oil Spill Response contractor vehicles. Pull-out along Highway 101 (at approximately Teagas Beach) contains four roll-off bins, excavating equipment, and Oil Spill Response contractor vehicles
  - Freeport McMoRan facility in Goleta is storing soil roll-off bins from Release Site and empty roll-off bins staged for future use
  - Exxon Mobil Las Flores facility is storing soil roll-off bins from Release Site and culvert
  - T&T Yard is storing oily debris bins for inventory and inspection prior to shipping to Clean Harbors
- Aboveground Storage Tanks
  - T&T Yard, Ventura: Liquid waste water consisting of decontamination water, decant water, and oily water stored in Baker Tanks located inside the T&T Yard. Liquids from decontamination and vessel recovery conducted at Ventura Harbor are also consolidated into Baker Tanks using vacuum trucks transferring liquids to T&T yard
  - Freeport McMoRan facility in Goleta: Liquid waste from decontamination of culvert and recovered oil is contained in three tanks. Liquid waste water from purging Line 901 is stored in eight tanks
- Sampling and Air Monitoring Activities
  - Environmental Sampling (Water/soil/sediment): On May 20, 2015, Center for Toxicology and Environmental Health, LLC (CTEH®) initiated environmental sampling in support of response operations for the Refugio Incident near Gaviota, California. This sampling has been conducted under a Unified Command-approved sampling plan. CTEH® is conducting water sampling along the coastline at locations east and west of the incident site. Collected water samples have been submitted to an accredited laboratory for analysis of volatile organic compounds (VOCs), metals, total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAHs), and glutaraldehyde. Water sampling results were compared to surface water screening values that were compiled and approved by representatives of the Santa Barbara County Public Health Department and CTEH®, a contractor for Plains
  - Air Monitoring/Analytical Air Sampling: CTEH® conducted real-time air monitoring along the coastline at publically-accessible locations. Real-time air monitoring refers to the use of direct-reading instruments that report nearly instantaneous measurements of an airborne substance in real-time. Real-time air monitoring was performed for volatile organic compounds (VOCs), benzene, hexane, toluene, atmospheric flammability as percent of the lower explosive limit (LEL), and hydrogen sulfide (H<sub>2</sub>S). Notably, H<sub>2</sub>S



was not a primary concern, as the oil released did not contain high amounts of H<sub>2</sub>S. Data was collected using handheld instruments in the community. CTEH® began collecting analytical air samples on May 20, 2015. Laboratory analysis of analytical air samples provides chemical-specific results at lower chemical detection limits than real-time instrumentation. Analytical air samples were positioned to collect air from ten fixed locations along the coastline over 24-hour periods. Analytical air samples were submitted to an accredited laboratory for analysis of VOCs, H<sub>2</sub>S, and glutaraldehyde. Human health risk-based screening levels for a suite of VOCs, including benzene, ethylbenzene, toluene, and xylene (collectively known as BTEX) were used to evaluate the analytical air sample results. These screening levels were developed by the U.S. Environmental Protection Agency (USEPA) during previous oil spill events to be protective of human health for an individual exposed for 24 hours a day, seven days a week, for up to one year.

- **Confirmation soil sampling:** As part of the Refugio Incident response efforts, CTEH® began collecting confirmation soils samples per the Unified Command-approved Confirmation Soil Sampling and Analysis Plan. The goal of the confirmation soil sampling is to ensure the removal of as much impacted soil as practical to restore conditions to background. Samples are being collected and analyzed for TPHs, PAHs and metals.
- **Fingerprinting:** As part of response efforts to the Refugio Incident, CTEH® began collecting product samples for fingerprinting analysis on May 20, 2015. Samples collected from May 20, 2015, through June 1, 2015, were collected under the Unified Command (UC) approved CTEH® Emergency Response Environmental Sampling and Analysis Plan. After June 2, 2015, product samples were collected under the UC-approved Seep Oil/Sheen Sampling Plan and the UC-approved Forensic Analysis Sampling and Analysis Plan.

### Ongoing and Future Activities

The Refugio Incident Unified Command continues to oversee operations in Santa Barbara County. Active field operations are ongoing in three remaining Divisions (I, J and K), which encompass 8.3 miles of shoreline between Gaviota Creek and El Capitan State Beach Park.

- **Sections 1 and 4: Release Site and Bluff**

An Excavation Backfill and Site Restoration Plan has been submitted to the Refugio Incident Unified Command for review. This plan outlines backfilling the excavations and restoring the top 2-3' of the excavation to the individual landowners needs. A detailed Final Design Plan will be submitted to Santa Barbara County Planning and Development personnel for local permitting requirements. Upon approval, the sites will be restored. Typical equipment needs include track hoe excavators, skid steer loaders, water trucks,



roll-off transportation trucks, heavy-duty trucks, crane (Section 4 only), vibratory compaction equipment, and other heavy equipment.

Once backfilling activities have been completed in the Section 4, the excavation will be graded to produce a natural drainage swale. This swale will be designed by the project engineer to transport stormwater from the drainage culvert (north) to the Pacific Ocean (south). The material utilized on top of the backfill will be chosen based on aesthetic appearance and capacity to withstand stormwater run-off originating from areas north of the excavation area.

The current proposed restoration approach is the installation of a high density poly-ethylene (HDPE) drainage pipe extending partially down the bluff, and rock rip rap placed in erosion prone areas. Once backfilled, a shallow trench will be dug into the backfill for the HDPE pipe. A typical Caltrans headwall will be installed outside of the Union Pacific Railroad (UPRR) right of way, where the HDPE pipe will originate. The HDPE pipe will be installed in the previously excavated trench and terminate before reaching the cliff face. A geo-textile material will be placed atop the backfill and covered with an angular rock rip rap. Rock rip rap lip will also be placed and compacted at the outfall of the HDPE pipe as armament for the bluff per specifications to be made by a geotechnical engineer. The rock rip rap across the former excavation area will be covered with native soils or topsoil to the final grade. The soil will be re-vegetated with native seed and transplants per an approved restoration plan. Follow up monitoring will be conducted on a regular basis to ensure that seeds/plants survive and the need for irrigation and/or reseeding/replanting will be evaluated.

- **Section 5: Cliff Face**

A plan for Section 5 has been submitted to the Refugio Incident Unified Command for review. It appears that the oily materials can be removed from the steep slope and lip using a specialized excavator called a spider excavator. The excavated materials will be transferred via helicopter to a staging area near Refugio Beach. With regard to endpoints, the objective of the work is to remove impacted material to the extent practical without jeopardizing safety. It appears that the stained rock surfaces (on cliff face) that cannot be safely excavated can be pressure washed. Typical equipment needs include a specialized spider hoe excavator, helicopter, super sacks for the removal of impacted materials, crane in Section 4, heavy trucks, power washing equipment, generator, and sorbent booms.

All work under this Emergency Permit will be conducted in compliance with conditions of approval in the Plains All American Pipeline Final Development Plan (Case No. 88-DPF-033). The below conditions apply directly to aspects of the emergency response related work but all conditions from 88-DPF-033 also apply and are attached hereto. Access to the project areas will continue to be provided off of Highway 101 and Calle Real Road, and interior access roads. The property consists of 298.36-acres on parcels zoned AG-II-320 and REC, shown as Assessor's Parcel Numbers 081-210-047 and -027, respectively, located at 13600 Calle Real in the Goleta Area, 3rd Supervisorial District.



2. **Additional Permits.** An application(s) for the required permits necessary to validate the emergency work as permanent shall be submitted by the applicant to the Planning and Development Department no later than 30 days following the issuance of this Emergency Permit pursuant to Section 35-171.3. The permits required for the proposed emergency work include a Coastal Development Permit pursuant to Section 35-169 of the Article II Coastal Zoning Ordinance and a Grading Permit.
3. **Application Completeness.** Any materials required for a completed application for the follow-on Coastal Development Permit 15CDH-00000-00019 (which addresses Emergency Permit Condition No. 2 above), shall be submitted within 90 days after written notification of the application deficiencies for 15CDH-00000-00019 is provided to the applicant. This time period may be extended by the Director of Planning and Development.

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4. **Scope of Emergency Work.** Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 30 days of the date of issuance of the permit and completed within 120 days after the beginning of construction. Activities necessary to respond to re-oiling events are authorized under this Emergency Permit until the follow-on Coastal Development Permit 15CDH-00000-00019 becomes effective.
5. **Authorization from other agencies.** This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
6. **Stop Work Order.** The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction or if the Director determines that work has exceeded the scope of the project description in Emergency Permit Condition No. 1 above.
7. **Site Remediation and Restoration Plans (Sections 1, 4 and 5).** Prior to the commencement of additional work in Sections 1 (Release Site), 4 (Bluff) and 5 (Beach), the Owner/ Applicant shall provide to P&D a final work plan for those sections for review. MONITORING: P&D monitoring staff shall ensure compliance onsite.

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8. **Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
  - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
  - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
  - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.



- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off-site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
  - i. Seed and water to re-vegetate graded areas; and/or
  - ii. Spread soil binders; and/or
  - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans. PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to issuance of a Grading Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued [AND LANDSCAPING IS SUCCESSFULLY INSTALLED]. MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

9. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant. PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans. MONITORING: P&D permit processing planner shall check plans prior to issuance of a Coastal Development Permit and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

## PROJECT SPECIFIC CONDITIONS

10. Fueling and lubrication of construction equipment will not occur within 0.25 miles of any flowing streams. No more than 2 barrels of fuel shall be kept at construction sites, exclusive of pipeline construction equipment fuel tanks, within 0.25 miles of all perennial creeks. As part of the oil spill response plan, Plains Pipeline, L.P. will submit plans for clean-up and restoration of affected areas in the event of a construction fuel spill.
11. All construction and grading plans for the follow-up CDH shall show the precise location of the environmentally sensitive habitats (ESH) within the project vicinity. TIMING: The ESH



areas should be designated on all plans prior to CDP approval. MONITORING: Planning and Development staff to check plans

12. During construction, washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified. PLAN REQUIREMENTS: The applicant shall designate a wash off area, acceptable to Planning and Development, on the construction drawings. TIMING: The wash off area shall be designated on all plans prior to CDP. The washoff area shall be in place throughout construction. MONITORING: Planning and Development staff shall check plans prior to approval of CDP and the EQAP monitor shall site inspect throughout the construction period to ensure proper use.

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13. Impacts to existing vegetation within the temporary (for construction only) extra work space areas shall be minimized to the extent feasible. All disturbed areas, including temporary extra work spaces, shall be restored and revegetated pursuant to Plains Pipeline, L.P.'s approved Restoration, Erosion Control, and Revegetation Plan. Any grading of the temporary extra work space areas will require a separate Coastal Development Permit. Use of the temporary (for construction only) extra work space areas on slopes greater than 30 percent shall be limited to spoil placement. Right-of-way restoration and revegetation on slopes greater than 30 percent shall be initiated immediately upon completion of pipeline installation.
14. If human remains are unearthed during project activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendent of the deceased Native American. Plan Requirements/Timing: This condition shall be printed on construction drawings. MONITORING: EQAP monitor shall spot check in the field.
15. **CulRes-01 Cul Phases 1, 2, and 3.** All ground disturbances shall be subject to a Phase 1 archaeological survey in compliance with the provisions of the County Archaeological Guidelines. If significant resources are encountered and potential impacts are unavoidable, the Owner/Applicant shall have a P&D approved archaeologist prepare and complete a Phase 2 subsurface testing program in coordination with P&D. If the Phase 2 program finds that one is warranted, the Owner/Applicant shall have a P&D approved archaeologist prepare and complete a Phase 3 data recovery excavation consistent with County Archaeological Guidelines. All work shall be funded by the Owner/Applicant. PLAN REQUIREMENTS: The Owner/Applicant shall submit the required archaeological studies for P&D review and approval. TIMING: Any required archaeological studies shall be submitted to P&D as a component of its follow-up Coastal Development Permit application. Notes and/or depictions of plan components shall be included on plans prior to issuance of grading/building permits. The Owner/Applicant shall install any required resource protection measures or carry out required recovery onsite prior to issuance of grading/building permits and pre-construction meeting. MONITORING: P&D planning staff shall receive study(s) for review and approval



prior to as a component of the applicant's submittal of a follow-up Coastal Development Permit application.

## COUNTY RULES AND REGULATIONS

16. **Indemnity.** The Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's granting of this emergency permit. In the event that the County fails to promptly notify the Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

### Attachments:

- A. Map - Santa Barbara County Shoreline Divisions
- B. Map - Section 1-5 Site Plan
- C. 88-DPF-033
- D. CEQA Exemption

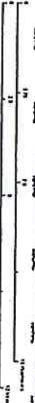
cc: Supervisor, 3<sup>rd</sup> District  
Kevin Drude, Deputy Director, Energy and Minerals Division  
Errin Briggs, Energy Specialist, Energy and Minerals Division  
Coastal Program Analyst, Calif. Coastal Comm., 89 S. California Street, Ventura CA 93001





# Refugio Incident - Santa Barbara County

Summary data plotted as lines on this map should not be used to calculate lengths of shoreline oiling.











# Culvert Sections Overview

Refugio Incident

Project: 107292  
Client: Plains All American  
City: Gavita, CA  
County: Santa Barbara



PROJECTION SYSTEM: Lambert Conformal Conic    DATUM: North American 1983    No georeferenceable image available north side of pipeline.    LAST UPDATED: 6/7/2015 4:06:57 PM







**ALL AMERICAN PIPELINE PROJECT  
FINAL DEVELOPMENT PLAN CONDITIONS  
88-DPF-033 (RV01)z, 88-CP-60 (RV01)  
(88-DPF-25cz; 85-DP-66cz; 83-DP-25cz)  
December 12, 1988  
(As Modified Through May 2003)**

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**ALL AMERICAN PIPELINE PROJECT  
FINAL DEVELOPMENT PLAN CONDITIONS**

**88-DPF-033 (RV01)z, 88-CP-60 (RV01)**

**(88-DPF-25cz; 85-DP-66cz; 83-DP-25cz)**

**December 12, 1988**

**(As Modified Through May 2003)**

The current owner and operator of record for the All American Pipeline is All American Pipeline, L.P., referred to herein as AAPLP. Plains Marketing GP Inc. serves as AAPLP's General Partner and has a 0.001% interest. Plains Marketing, L.P. is a limited partner with a 99.999% interest. AAPLP is identified as sole guarantor and carries in excess of \$125 million insurance coverage, as required by the Office of Oil Spill Prevention and Response. *(adopted by Director's amendment on June 3, 2003, pursuant to Chapter 25B, Sections 9.2 and 9.5, following changes of owner and guarantor)*

**A. GENERAL**

**A-1. Acceptance of Permit Conditions**

Acceptance of this permit shall be deemed as acceptance of all final conditions of this permit, except that AAPLP reserves the right to pursue any remedy for any legal violations imposed directly or indirectly by these permit conditions.

**A-2. Grounds for Permit Modification or Revocation**

If the Planning Commission determines at a noticed public hearing that AAPLP is not in compliance with any permit condition(s), pursuant to the provisions of Sec. 35-185 of Article II and/or Sec. 35-330 of Article III of the Santa Barbara County Code, the Planning Commission is empowered, in addition to revoking the permit pursuant to said section, to amend, alter, delete, or add conditions to this permit. *(modified by the Planning Commission on September 6, 2000)*

**A-3. Court Costs**

AAPLP agrees as a condition of the issuance and use of this permit to defend at its sole expense any action brought against the County by a third party challenging either its decision to issue this permit or the manner in which the County is interpreting or enforcing the conditions of the permit. AAPLP will reimburse the County for any court costs and attorneys fees which the County may be required by a court to pay as a result of such action where AAPLP defended or had control of the defense of the suit. County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve AAPLP of its obligation under this condition. County shall bear its own expenses for its participation in the action.

**A-4. Costs of Implementing and Enforcing Conditions**

AAPLP shall make an initial deposit to a fund to permit the County to adequately implement and enforce the conditions imposed on AAPLP by applicable County ordinances and/or the conditions of this permit, if such a fund is established. If the Board of Supervisors determines that a reasonable enforcement fund is needed, the Director of the Resource Management Department shall present to the Board of Supervisors and AAPLP a plan for enforcement within one year from the effective date of this permit. This plan shall set forth the staffing requirements and materials necessary for such enforcement and the estimated costs thereof. This plan shall provide that all



reasonable expenses incurred by the County or County contractors, for permit condition implementation, reasonable studies, and emergency response directly and necessarily related to enforcement of these permit conditions shall be reimbursed by AAPLP within 30 days of invoicing by County.

#### **A-5. Civil Penalties**

In the event that AAPLP fails to comply with any order of the Administrative Officer or the Board of Supervisors issued hereunder or any injunction of the Superior Court, it shall be liable for a civil penalty for each violation to the extent imposition of such civil penalty is authorized by applicable laws, rules, or regulations.

Said civil penalty shall be in addition to AAPLP's obligation, if any, to reimburse the County of Santa Barbara (and others) for actual damages suffered as a result of AAPLP's failure to abide by the conditions of this permit or by the orders of the Administrative Officer, the Board of Supervisors, or any court of competent jurisdiction.

#### **A-6. Access to Records and Facilities**

As to any condition which requires for its effective enforcement the inspection of construction records or records pertaining to facility operations, or the facilities themselves by County or its duly authorized agents, AAPLP will make all necessary records available or provide access to such facilities upon reasonable notice from County. County agrees to keep such information confidential where permitted by law and requested by AAPLP in writing.

#### **A-7. Substantial Conformity**

The procedures, operating techniques, design, equipment and other descriptions (hereinafter procedures) described by AAPLP in its application to the County 83-DP-25 cz, 83-CP-97 cz, and in subsequent clarifications and additions to that application and the Final Development Plan are incorporated herein as permit conditions and shall be required elements of the project. Since these procedures were part of the project description which received environmental analysis, a failure to include such procedures in the actual project could result in significant unanticipated environmental impacts. Therefore, modifications of these procedures will not be permitted without a determination of substantial conformity or a new or modified permit. The use of the property and the size, shape, arrangement and location of buildings, structures, walkways, parking areas and landscaped areas shall be in substantial conformity with the approved Final Development Plan.

#### **A-8. Authority for Curtailment**

In addition to the authority to enforce and secure compliance with the provisions of this permit under Division 12, Coastal Zoning Ordinance of the Santa Barbara County Code and Division 7, General Regulations, Article III Santa Barbara County Zoning Ordinance, the County Administrative Officer, or in his/her absence a designated appointee, may order that curtailment of activities which is required to protect the public health and safety. Said action may include, but is not limited to, ordering temporary, partial or total facility shutdown.

Such an order shall be made only in the event that the Administrative Officer has reasonable and probable cause to believe that continued unrestrained activities of permittee will likely result in or threaten to result in danger to public health, welfare, or safety, or in the environment and provided such violations can be expected to continue or recur unless operations are in whole or in part shut down or reduced pending the necessary corrections.



Before issuing any curtailment order, the County Administrative Officer shall set a time for hearing and shall give written notice of the time and place of the hearing and of the alleged violations. Such notice shall be received by the person in charge of the operation of the facility at least 24 hours before the hearing at which time there will be an opportunity for all concerned parties to present evidence regarding the alleged violations. The notice may be served in person or by certified mail.

In the event the Administrative Officer, or in his/her absence the designated appointee, determines that there is an imminent danger to the public health and safety resulting from violations, he/she may summarily order the necessary curtailment of activities without hearing and such order shall be obeyed upon notice of same, whether written or oral. At the same time that notice of the order is conveyed, the Administrative Officer shall set a date, time and place for a publicly noticed hearing and review of said order as soon as possible which date shall be no later than 24 hours after such order is issued or served. Said hearing shall be conducted in the same manner as a hearing on prior notice. After such hearing, the Administrative Officer may modify, revoke, or retain the emergency curtailment order.

Any order of the Administrative Officer may be appealed to the Board of Supervisors within three working days after such order is made.

If such appeal is not filed with the Board of Supervisors, the Administrative Officer's order becomes final. If there is an appeal, the order of the Administrative Officer shall remain in full force and effect until action is taken by the Board of Supervisors. The decision of the Board of Supervisors shall be a final Administrative Action. Such decision shall not preclude AAPLP from seeking judicial relief.

Once AAPLP has shown that the conditions of violation no longer exist and are not reasonably likely to recur, the Administrative Officer shall modify the curtailment order to account for such compliance and shall entirely dissolve the order when it is shown that all of the violations have been corrected and are not likely to recur.

**A-9. Conditions Separately Remain in Force**

In the event that any condition contained herein is determined to be invalid, then all remaining conditions shall remain in force.

**A-10. Conflicts Between Conditions**

In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the condition most protective of public health and safety and natural environmental resources shall prevail to the extent feasible.

**A-11. Injunctive Relief**

In addition to any administrative remedies or enforcement provided hereunder, the County may seek and obtain temporary, preliminary, and permanent injunctive relief to prohibit violation of the conditions set forth herein or to mandate compliance with the conditions herein.

All remedies and enforcement procedures set forth herein shall be in addition to any other legal or equitable remedies provided by law.



**A-12. Owner/Operator Liability**

The owner and the operator of the facility shall be jointly and severally liable without regard to fault for all legally compensable damages or injuries suffered by any property or person that result from or arise out of any oil, water spillage, fire, explosion, odor, or air pollution, in any way involving oil or gas or the impurities contained therein or removed therefrom and which arises out of construction or operation of AAPLP's facilities. For the purpose of this condition, the "facility" shall be deemed to include all facilities described and approved pursuant to 83-DP-25cz, 83-CP-97cz.

This condition shall not inure to the benefit of any of the owners of the pipeline, including the United States Government. This declaration of strict liability and the limitations upon it shall be governed by the applicable law of California on strict liability.

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**A-13. Facility Throughput and Source Limits**

All facilities constructed under this permit shall be used only for the shipment of a maximum volume of heated crude oil demonstrated to be within the design parameters of the pipeline facilities as built. The subject volumes will be outer continental shelf (OCS) and other locally produced onshore and offshore petroleum from the Santa Barbara and Santa Maria Basins. AAPLP shall obtain a new or modified permit, or authority to continue operation under the existing permit prior to undertaking any of the following activities which may, in the judgment of the County, result in significant changes to the impacts on the County. Such changes could include but not be limited to: 1) major pipeline or pump station modifications; 2) major changes in pipeline throughput; 3) introduction of production to the pipeline from sources other than those described above; and 4) introduction of a different product from any source.

Other source volumes may be transported subject to a determination of substantial conformity by the Planning Commission and a finding of facts and determination that project impacts will not be increased by transporting and processing those other sources.

**A-14. Pipeline Alignment**

AAPLP shall align the pipeline corridor from the coastal starting point to the County exit point in the western Cuyama valley according to the route approved by the County. AAPLP shall locate and construct all isolation valves as identified by the final approved alignment.

**A-15. Permit Violations**

Any person, firm or corporation, whether as a principal, agent, employee, or otherwise, found to be in violation of any provisions or conditions of this ordinance or permits, shall be punishable as set forth in the applicable section of the Coastal Zoning Ordinance, and Article III of the Santa Barbara County Code.

Each and every day during any portion of which any violation of this Article or the rules, regulations, orders, or permits issued thereunder, is committed, continued, or permitted by such person, firm or corporation shall be deemed a separate and distinct offense.

**A-16. Board of Supervisors Authority to Change County Department Responsible for Condition**

The Santa Barbara County Board of Supervisors in a noticed public hearing shall have the authority to specify or change the Santa Barbara County Department responsible for any conditions contained herein.



#### **A-17. Fees as Mitigation Measures**

Should circumstances, including legal or legislative action, cause the County to lose its authority or have its authority fundamentally reduced to assess fees as a method to mitigate project-related impacts, then other feasible mitigation measures shall be imposed which will substantially lessen the significant impact formerly mitigated by the imposition of fees. Within six months of the County's loss of such authority, feasible alternative mitigation measures shall be imposed as replacement permit conditions. Alternatively, the County in a noticed public hearing must find that no feasible mitigation measures are available and that the benefits of the project outweigh the significant environmental impacts.

#### **A-18. Payment of Attorney's Fees and Costs**

Should legal action be required by either party to enforce any rights in connection with this permit the prevailing party shall be entitled to reasonable attorney's fees and costs pursuant to Civil Code 1717.

#### **A-19. Applicability of Conditions to Construction and Operation**

Unless otherwise specified, these permit conditions are intended to apply to AAPLP during both the construction and the operation of the permitted facilities.

#### **A-20 Project Description**

The Development Plan Revision (88-DP-33) and Conditional Use Permit Revision (88-CP-60) are based upon and limited to compliance with the project description and conditions of approval adopted for the Gaviota Creek Pipeline Lowering and Relocation Project, as documented in 00-ND-21 and the September 6, 2000 staff report. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval. The project description is summarized as follows:

AAPLP proposes to:

- Relocate their existing Gaviota Creek pipeline crossing by re-burying the 30" crude oil pipeline at least 10 feet into bedrock immediately upstream from their existing crossing;
- Remove the existing, exposed pipeline segment in Gaviota Creek;
- Restore and revegetate the disturbed area; and
- Monitor the crossing to ensure erosion control and revegetation efforts are successful.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description and the associated hearing exhibits and conditions of approval. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall



be implemented as approved by the County.*(adopted by the Planning Commission on September 6, 2000)*

**A-21**

Any use authorized Conditional Use Permit Revision (88-CP-060 RV01) shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Coastal Development issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. *(adopted by the Planning Commission on September 6, 2000)*

**A-22**

Within 18 months after the effective date of Conditional Use Permit Revision (88-CP-060 RV01), construction and/or the use shall commence. Construction or use cannot commence until a Coastal Development Permit has been issued. Failure to commence the construction and/or use pursuant to a valid Coastal Development Permit shall render the Conditional Use Permit null and void. All time limits may be extended by the Planning Commission for good cause shown, provided a written request, including a statement of reasons for the time limit extension request is filed with Planning and Development prior to the expiration date. *(adopted by the Planning Commission on September 6, 2000)*

**A-23**

Approval of the Final Development Plan Revision (88-DP-33 RV01) shall expire five (5) years after approval by the Planning Commission, unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decisionmaker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year. *(adopted by the Planning Commission on September 6, 2000)*

**A-24**

Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Coastal Development and Building Permit from Planning and Development. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development. *(adopted by the Planning Commission on September 6, 2000)*

**A-25**

All applicable final conditions of approval shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible. *(adopted by the Planning Commission on September 6, 2000)*

**A-26**

The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this the applicant agrees to:



1. Contact the Energy Division as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
2. Contact the Energy Division at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, planner, other agency personnel and with key construction personnel.
3. Contact the State Parks archaeologist one week prior to commencement of any project activities on the site, including pre-construction activities.
4. Pay fees to cover full costs of consultants and staff time and monitoring (AAPLP's EQAP program). In the event of a dispute, the decision of the Director of P&D shall be final. *(adopted by the Planning Commission on September 6, 2000)*

**A-27**

Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of the Final Development Plan Revision (88-DP-33 RV01) and Conditional Use Permit Revision (88-CP-060 RV01). In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect. *(adopted by the Planning Commission on September 6, 2000)*

**A-28**

In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed. *(adopted by the Planning Commission on September 6, 2000)*

**A-29**

Within 60 days of completion of the Gaviota Creek Pipeline Lowering and Relocation project, AAPLP shall submit as-built drawings to the Energy and Building and Safety Divisions. *(adopted by the Planning Commission on September 6, 2000)*

**A-30**

Within 60 days of completion of the Gaviota Creek Pipeline Lowering and Relocation project, AAPLP shall revise their Operations and Maintenance Manual to reflect the changes to the pipeline. Revisions shall be copied to the Energy and Building and Safety Divisions. *(adopted by the Planning Commission on September 6, 2000)*

**A-31**

The Gaviota Creek Pipeline Lowering and Relocation project is estimated to take a maximum of 5 weeks. If earthmoving work extends past November 1, the Energy Division shall convene a meeting between AAPLP and all responsible agencies to decide on the appropriate action. If the Planning Director determines that work cannot continue due to impacts on sensitive resources (e.g., steelhead migration, red-legged frog breeding season), or the potential for increased sedimentation and erosion, work shall be suspended.



**B. PERMIT REVIEW**

**B-1. System Safety and Reliability Review Committee (SSRRC) Review Prior to Construction**

Prior to initiation of construction activity (such as ROW preparation, river crossings or pump station construction), AAPLP shall submit to the System Safety and Reliability Review Committee (established by condition P-1) relevant construction drawings and supporting text demonstrating compliance with the appropriate conditions. Construction may not commence until County has reviewed and/or approved this submittal, consistent with the SSRRC review specified in Conditions P-1 and P-2. Within 15 days of submittal, County shall either give written notice to proceed with construction or indicate in writing conditions which have not been met. When such conditions have been met construction approval shall be granted.

**B-2. Imposition of New and Comprehensive Review of Conditions**

If at any time County determines that these permit conditions are inadequate to effectively mitigate significant environmental impacts caused by the project, or that recent proven technological advances could provide substantial additional mitigation, then additional reasonable conditions shall be imposed to further mitigate these impacts. Imposition of such conditions shall only be considered and imposed as part of the County's comprehensive review of the project conditions. County shall conduct a comprehensive review of the project conditions and consider adding reasonable conditions which incorporate proven technological advances three years after permit issuance and at appropriate intervals thereafter. A comprehensive review of conditions which are not effectively mitigating impacts may be conducted at any appropriate time. Upon written request of AAPLP, the Board of Supervisors shall determine whether the new condition required is reasonable considering the economic burdens imposed and environmental benefits to be derived.

**B-3. Authority to Impose Feasible Mitigations**

This permit is premised upon findings that where feasible, all significant environmental effects of the project identified in the EIR/EIS (State Clearinghouse No. 83110902), which occur in Santa Barbara County, will be substantially mitigated by the permit conditions. Prior to approval of the Final Development Plan, County shall review any findings that identified certain mitigation measures as being in the primary jurisdiction of another agency but are also within County's jurisdiction. County shall thereupon determine either (1) that such mitigation has or is being implemented by such other agency or (2) that such other agency and County determine such mitigation to be infeasible. If County determines that no other agency is or may be implementing such feasible mitigation measures then County may impose those feasible measures within its jurisdiction to mitigate those environmental impacts in accordance with appropriate mitigation measures identified by the EIS/R.

**B-4. Coordination Plan for the Use of a Shared Pipeline Corridor**

Prior to approval of the Final Development Plan, AAPLP shall develop and submit to the Resource Management Department for approval a plan to co-ordinate the placement and timing of their pipeline with SCPS's pipeline (or other potential proposals for use of the same corridor for a pipeline). Any agreements between AAPLP and SCPS (or other applicant) necessary to implement this plan shall be subject to review and verification by the Resource Management Department to assure the purpose of the plan will be achieved. The expressed purpose of this co-ordination plan shall be:

- 1) arrangement of simultaneous construction where practical;



- 2) engineering of pipe placement within the ROW to minimize incremental widening of the initial construction corridor during subsequent pipeline projects;
- 3) identification of segments where incremental widening of the ROW is constrained and alternative engineering techniques which may allow construction of subsequent pipelines (and potential limitations of future pipeline use of the ROW); and
- 4) timing and design of revegetation plans to promote effective revegetation but minimize unnecessary duplication of efforts.

Should SCPS or any other applicant abandon their pipeline project, or fail to submit a Final Development Plan prior to AAPLP pipeline construction, this condition may be modified to reflect the existing situation but maintain the intent of this condition.

**B-5. Resolution of Scheduling Conflicts Among Conditions of Approval**

In the event that scheduling requirements among or between conditions in this permit (or with this permit and conditions imposed by other agencies) conflict with respect to timing, the Resource Management Department (in consultation with other agencies as appropriate) shall resolve such conflict.

**B-6. Cooperation with San Luis Obispo County for Pipeline Permitting**

Applicant shall cooperate as necessary with San Luis Obispo County in the permitting, design, and construction of those segments of the pipeline which could affect Santa Barbara County. The intent of this condition is to ensure that potential impacts to Santa Barbara County are mitigated to the maximum extent feasible by these permit conditions, regardless of the location of the source of the impact.

**B-7. P&D Authorization Prior to Construction**

Prior to commencing any construction activities in Santa Barbara County, AAPLP shall obtain a letter from the Director of the Resource Management Department indicating that all conditions which require approval prior to construction, as specified by this permit, have been satisfied.

**B-8. P&D Authorization Prior to Start-Up**

Prior to start-up of the pipeline in Santa Barbara County, AAPLP shall obtain a letter from the Director of the Resource Management Department indicating that all conditions which require approval prior to start-up, as specified by this permit, have been satisfied.

**B-9. Adequacy of Submittals to be Determined by the Planning Commission**

In the event that AAPLP and staff cannot reach an agreement on the adequacy of any submittal required by these conditions, the matter will be brought before the Planning Commission for resolution at the earliest possible date.

**C. MANAGEMENT**

**C-1. Environmental Quality Assurance Program (EQAP)**

AAPLP shall prepare an Environmental Quality Assurance Program (EQAP) for Resource Management Department approval prior to the Final Development Plan. This EQAP shall



encompass both the construction and operation phases of the project, and shall describe the steps AAPLP will take to assure compliance with these conditions. This plan is intended to provide a framework for all other programs and plans specified by these conditions as required prior to approval of the Final Development Plan. As such, it will become a comprehensive reference document for the County, other agencies, and the public regarding the AAPLP project. This plan shall provide for the submission to the Resource Management Department semi-annual reports throughout construction and annual reports during operations. These reports shall describe:

- a) Project status, including but not necessarily limited to:
  - i) extent to which construction has been completed,
  - ii) the rate of production/throughput during operation,
  - iii) environmental planning and implementation efforts, and
  - iv) any revised time schedules or timetables of construction and operation that will occur in the next one year period.
- b) Permit condition compliance, including but not necessarily limited to the results of the specific mitigation requirements identified in these conditions.
- c) Results and analyses of all data collection efforts being conducted by AAPLP pursuant to these permit conditions.

The program shall include (or if separate plans exist, reference) all plans relevant to construction and operations of the pipeline facilities specified by these conditions.

#### Construction

The program shall include all plans relevant to construction activities such as the Restoration, Erosion Control and Revegetation Plan and the Cultural Resources Mitigation Plan. The program shall include provisions for at least one managing environmental coordinator with overall responsibility, and if necessary, one onsite environmental coordinator per construction site during the construction phase. These coordinators shall be approved by and be responsible to the Resource Management Department. AAPLP shall fund the coordinator(s). The number of coordinators necessary shall be determined according to the amount of simultaneous construction activity occurring in geographically separate areas. The responsibilities of the coordinator(s) are to include:

- a) on-site, day-to-day monitoring of construction activities;
- b) ensuring contractor knowledge of and compliance with all appropriate permit conditions;
- c) evaluating the adequacy of construction impact mitigations, and proposing improvements to the contractors, AAPLP, and County;
- d) having the authority to require correction of activities observed to violate project environmental conditions or that represent unsafe or dangerous conditions, and having the ability and authority to secure compliance with the conditions or standards through the County Administrative Officer as described in condition A-8, if necessary;
- e) performing as contact for affected property owners and any other affected persons that wish to register observation of environmental permit violations and/or unsafe conditions, receiving any complaints, immediately contacting AAPLP's onsite construction representative, verifying any such observations and developing any necessary corrective actions in consultation with AAPLP's onsite construction representative;
- f) maintaining prompt and regular communication with the Resource Management Department, Public Works Department, or other appropriate County agency, and with AAPLP personnel responsible for contractor performance and permit compliance.

In the event that resolution of disputes between the public and/or governmental agencies and AAPLP over adherence to permit conditions is not achieved by the managing environmental



coordinator, an arbitration system shall be utilized to resolve such disputes in a timely manner in order to minimize the need to halt construction activities as per conditions A-2 or A-8.

The coordinator(s) shall be thoroughly familiar with all plans and requirements set forth in the permit conditions. Prior to construction start-up, the managing coordinator shall discuss with other agency inspectors or monitoring personnel, inspection programs, areas of jurisdiction, responsibility, and define methods of avoiding disputes or construction delay due to agency disagreements.

Selection of the necessary coordinators shall be made, and the person(s) available, prior to issuance of the Coastal Development Permit and Land Use Permit.

### Operations

The program shall include all plans related to operations, such as the Emergency Response Plan, Oil Spill Contingency Plan, and Landscaping Plan, as well as specific conditions not required in formal plans. It may also include any procedures not specified by these conditions but relevant to environmental protection and safety.

## **C-2. 24-Hour Emergency Contact**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall provide to the Resource Management Department and the Emergency Services Coordinator the current name and position, title, address, and 24-hour phone numbers of the field agent, person in charge of the facility, and other representatives who shall receive all orders and notices, as well as all communications regarding matters of condition and permit compliance at the site and who shall have authority to implement a facility shutdown pursuant to condition A-8 in this Ordinance.

There shall always be such a contact person(s) designated by the permittee. One contact person shall be available 24 hours a day during all phases of the project in order to respond to inquiries received from the County, or from anyone in case of an emergency.

If the address or phone number of AAPLP's agent should change, or the responsibility be assigned to another person or position, AAPLP shall provide to the Resource Management Department the new information within seven days.

## **C-3. AAPLP to Provide Copies of Permits to P&D**

AAPLP shall furnish to the Resource Management Department copies of all County permit applications relative to the project once submitted, and of permits within 30 days of receipt by AAPLP.

## **D. AIR QUALITY**

### **D-1. Statement of Scope**

Nothing contained herein shall be construed to permit a violation of any applicable air pollution law, rule, or regulation.

### **D-2. Authority to Construct**



Prior to initiation of construction, including grading, of any facilities approved pursuant to this Development Plan, AAPLP shall obtain an Authority to Construct permit from the County Air Pollution Control District.

**D-3. Agreement to Implement All Air Pollution Control Procedures**

AAPLP agrees to implement all air pollution control procedures as required by APCD and identified in the Final Development Plan (such as water sprays to reduce construction-related fugitive dust).

**D-4. Emissions Mitigation**

Emissions from any project component that contribute to ozone standard violations must be mitigated to the extent feasible. Effectiveness of mitigation will be confirmed by APCD.

**D-5. Deleted.**

**D-6. Validation Information**

Prior to approval of the Final Development Plan, AAPLP shall submit to the Resource Management Department updated estimates of the type and size of helicopters, or other aircraft, to be used during pipeline operations for the aerial surveys of the pipeline route. The information shall also include the estimated operating schedules, frequency and duration of airport calls and other reasonable information as required by APCD. The County may require validation and updating of this information as needed. Should this information reveal significant differences between the estimated air emissions and those analyzed in the EIR/EIS, the APCD may modify air quality permit conditions as necessary to assure consistency with the Air Quality Attainment Plan and Reasonable Further Progress goals.

**D-7. Discharge Limitations**

All facilities shall be designed, constructed, operated, and maintained, such that the facilities approved under this Development Plan shall not discharge quantities of air contaminants or other materials in violation of Section 41700 of the Health and Safety Code.

**D-8. Mitigation Plan for Construction Air Quality Impacts**

Prior to the approval of the Final Development Plan, AAPLP shall submit to the Director of the Resource Management Department a plan, approved by the APCD, which includes timing of construction, minimizing soil handling, and other measures to mitigate construction air quality impacts. The plan shall include APCD approved analysis which demonstrates that local, state and federal air quality standards will not be violated as a result of construction activities.

**D-9**

For the Gaviota Creek Pipeline Lowering and Relocation project, during clearing, grading, earth moving, excavation or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to minimize dust leaving the site and to create a crust after each day's activities cease. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour. Soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. **Plan Requirements:** All requirements shall be shown on construction drawings. **Timing:** Condition



shall be adhered to throughout all grading and construction periods. **MONITORING:** Planning and Development shall ensure measures are on plans. Planning and Development's EQAP monitor shall spot check and ensure compliance on-site. APCD inspectors shall respond to any nuisance complaints. *(Mitigation Measure A-1) (adopted by the Planning Commission on September 6, 2000)*

**D-10**

During construction of the Gaviota Creek Pipeline Lowering and Replacement project, use water trucks to keep all areas of vehicle movement damp enough to reduce dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. **Plan Requirements:** This condition shall be printed on all construction drawings. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure A-2) (adopted by the Planning Commission on September 6, 2000)*

**D-11**

During the Gaviota Creek Pipeline Lowering and Replacement project, AAPLP shall minimize the amount of disturbed area and ensure that on site vehicle speeds do not exceed 15 miles per hour. **Plan Requirements:** This condition shall be printed on all construction drawings. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure A-3) (adopted by the Planning Commission on September 6, 2000)*

**D-12**

For the Gaviota Creek Pipeline Lowering and Replacement project, soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin. **Plan Requirements:** This condition shall be printed on all construction plans. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure A-4) (adopted by the Planning Commission on September 6, 2000)*

**D-13**

For the Gaviota Creek Pipeline Lowering and Replacement project, heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized wherever feasible. *(Mitigation Measure A-5) (adopted by the Planning Commission on September 6, 2000)*

- a. The engine size of construction equipment shall be the minimum practical size.
- b. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number are operating at any one time.
- c. Construction equipment shall be maintained in tune per the manufacturer's specifications.
- d. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion chamber engines.
- e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- f. Diesel catalytic converters shall be installed, if available.
- g. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- h. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

**MONITORING:** EQAP monitor to spot check in field. *(Mitigation Measure A-5) (adopted by the Planning Commission on September 6, 2000)*



## **E. GEOLOGY**

### **E-1. Geologic Investigation, Design and Mitigation Program**

Prior to the issuance of the Coastal Development Permit and Land Use Permit, AAPLP will conduct a route-specific Geologic Investigation, Design, and Mitigation Program. This program shall contain three basic components: 1) a detailed geologic investigation component which defines specific hazards, 2) an engineering design component which details specific engineering plans for each identified hazard along the route, and 3) a geohazards mitigation component which demonstrates how and to what extent each hazard is reduced.

- a) Detailed geologic investigation component:  
Where specific hazards have been identified or may occur along the pipeline route or at pump station locations, AAPLP will conduct appropriate detailed geologic, seismic, and geotechnical studies to further characterize the specific geologic hazard. These studies will be conducted under the direction of a State of California registered geologist or engineering geologist who will be mutually agreed to by AAPLP, the Resource Management Department, the Public Works Department, and the Flood Control District. These studies will include but not be limited to investigations of unstable slopes, erodable slopes, lurch/liquefaction susceptible substrate, surface rupture, and river scour characteristics (depth and lateral extent). Methods of investigation shall conform to appropriate geotechnical techniques applicable to each specific hazard. Draft results will be subject to review by County Public Works Department and Flood Control Agency as appropriate prior to finalization of the engineering design. The final report will be submitted with the final engineering design component.
- b) Engineering design component:  
AAPLP will demonstrate that appropriate geotechnical information from component a) and other applicable recommendations are incorporated into final engineering design of pipeline construction and facilities. This includes but is not restricted to: the development of appropriate ground motion parameters for use in seismic design of critical structures and equipment, unstable slope construction or avoidance techniques, burial depth at all major river crossings, modification of instrumentation, or use of the dual contingency level/operating level earthquake concept, or its equivalent. The designs will be subject to review by the Department of Public Works and third party technical review as specified in Condition P-1.
- c) Geohazards mitigation component:  
Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP will submit to the Resource Management Department a detailed geologic hazard mitigation report. The report will outline the hazards identified in part a) of this program and will address how engineering designs as detailed in part b) of this program reduce each specific hazard. This component will also be submitted to the Department of Public Works and Flood Control Agency and will be subject to third party review as specified in Condition P-1.

### **E-2. Geologic Hazard Monitoring Program**

AAPLP will develop a Monitoring Program for the operations phase to be funded by AAPLP and staffed as necessary with at least one State of California registered engineer, or engineering geologist, in order to evaluate any hazards identified by routine monitoring. The program will be designed to verify adequate performance or condition of the project components in hazard areas such as river and active fault crossings, and will be subject to approval of the Resource Management Department prior to issuance of the Coastal Development Permit and Land Use Permit. The monitoring program may in part be incorporated into routine aerial and ground reconnaissance.



If the monitoring indicates a potential or actual hazard, appropriate action including, but not limited to, operations curtailment and repairs, will be taken by AAPLP to mitigate the hazard. AAPLP will report to the Emergency Services Coordinator any potentially hazardous situations discovered during monitoring.

In the case of river crossings at the Santa Ynez, Sisquoc and Cuyama Rivers, a yearly inspection of pipeline burial depth, subject to review by the Resource Management Department and Flood Control Agency, shall be performed. At crossings of the Santa Ynez and Sisquoc Rivers where channel degradation has reduced the depth of cover to less than four feet below the 100-year scour depth, or other hazardous levels as determined by a professional engineer on the staff of or under supervision of the County Flood Control Agency, or US D.O.T. specifications, relocation or reburial of the pipeline to adequate depth will be required. At the crossing of the Cuyama River, if the inspections reveal that hazardous conditions exist, mitigations such as reconstruction or relocation of the crossing will be required as determined by a professional engineer on the staff of or under supervision of the County Flood Control Agency.

### **E-3. Inspection of Trench Prior to Pipeline Installation**

Inspection of the pipeline trench or trench spoil to identify any potential geologic hazards shall be made by a professional geologist or soils engineer approved by the Resource Management Department prior to installation of the pipeline. If hazards not previously accounted for in the pipeline design are encountered, appropriate mitigation measures will be developed and must be instigated prior to installation of the pipeline. The results of the inspection will be reported to the engineering geologist of the Public Works Department who will approve prior to, and the supervising environmental coordinator who will insure, application of the necessary mitigation measures. The timing of such inspections shall not result in any unreasonable delays in installation of the pipeline.

### **E-4. Isolation Valves at Active Fault Crossings**

At all places where the pipeline crosses an active fault, according to the Department of Geology and Mining definitions, AAPLP will place isolation valves on either side, or design and construct appropriate devices or measures which more effectively mitigate the hazard of the fault crossing. Location and nature of these designs must be approved prior to the issuance of the Coastal Development Permit and Land Use Permit.

### **E-5. Sisquoc Pump Station Grading and Erosion Control Plan**

Prior to the issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall submit final Grading and Erosion Control Plans for the Sisquoc pump station approved by the Department of Public Works. These plans shall be consistent with or based on information contained in the geologic investigation required in Condition E-1.

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall either submit Grading and Erosion Control Plans for the Las Flores and Gaviota pump stations for approval by the Department of Public Works or show evidence that the plans are a part of the overall Grading and Erosion Control Plans for the consolidated processing facilities at those sites.

### **E-6. Cooperation with San Luis Obispo County for Cuyama River Crossing**

AAPLP shall cooperate as necessary with San Luis Obispo County in the permitting, design and construction of the Cuyama River crossing.

Any pipeline crossing the Cuyama River shall be laid to a depth consistent with studies performed under Condition E-1 and subject to approval of the County Flood Control District.



**E-7. South Coast Pump Stations Location**

Prior to approval of the Final Development Plan, AAPLP shall commit to the location of their south coast pump stations to the satisfaction of the Planning Commission. If these stations are not within the boundaries of the approved Exxon, Gaviota Terminal Company, or Chevron facilities, AAPLP shall submit grading and erosion control plans pursuant to Condition E-5.

**E-8. Stockpiling of Earth Materials During Construction**

Stockpiling of large volumes of earth materials in temporary (for construction only) work space areas in excess of those volumes needed locally for construction shall not occur except as approved by the Resource Management Department. AAPLP shall not stockpile materials on landslide prone slopes during the rainy season.

**E-9. Storage of Pipe During Construction**

Storage of pipe in temporary (for construction only) extra work spaces shall not occur except as approved by the Resource Management Department.

**E-10**

AAPLP shall implement a project specific Restoration, Erosion Control and Revegetation Plan for the Gaviota Creek Pipeline Lowering and Replacement Project in order to minimize erosion. In addition, grading shall be minimized within the creek and along the creek bank and grading on slopes greater than 5:1 shall be designed to minimize surface water runoff. **Plan Requirements:** This requirement shall be noted on construction drawings prior to approval of CDP. The applicant shall notify the Energy Division at least 48 hours prior to commencement of grading. **MONITORING:** EQAP monitor shall inspect the site during grading work to verify that erosion control measures are properly implemented. *(Mitigation Measure G-1) (adopted by the Planning Commission on September 6, 2000)*

**E-11**

AAPLP shall limit excavation and grading to the driest season of the year to avoid the breeding season for California red-legged frog, tidewater goby, and the Southern steelhead migration season (July 1 to November 1) for the Gaviota Creek Pipeline Lowering and Replacement project, unless granted permission by the Energy Division. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on construction drawings. **MONITORING:** EQAP monitor shall inspect the site during grading to monitor dust generation and after grading to verify reseeding. *(Mitigation Measure G-2) (adopted by the Planning Commission on September 6, 2000)*

**E-12**

At Gaviota Creek, AAPLP shall perform an as-built profile survey of the pipeline and creek bed and develop a profile drawing showing the pipeline and creek bottom. For the first two years after installation of the new pipeline crossing, the creek bed shall be surveyed each year at the end of the rainy season. After the first two years, AAPLP shall re-survey after every significant flood event (i.e., 100-year event or more serious), but not less than every three years. After each creek bed profile survey, the creek bed profile shall be shown on the original as-built profile survey. **Plan Requirements:** AAPLP shall submit surveys to Planning and Development's geologist for review and approval. **MONITORING:** Planning and Development shall review creek elevation records and site inspect as necessary. *(Mitigation Measure G-3) (adopted by the Planning Commission on September 6, 2000)*



### **E-13**

At Gaviota Creek, AAPLP shall visually inspect the status of restoration efforts and the erosion at the pipeline crossing at least quarterly, and as requested by State Parks or Planning and Development, after installation of the new pipeline crossing. (These surveys shall be conducted at ground level, not from the air.) **Plan Requirements:** Written inspection reports shall be submitted to the Energy Division within 30 days of the inspections and surveys. AAPLP shall take any necessary corrective actions required to stabilize disturbed areas, as approved by the Energy Division. **MONITORING:** EQAP monitor to periodically inspect the restoration effort. (*Mitigation Measure G-4) (adopted by the Planning Commission on September 6, 2000)*

## **F. SURFACE AND GROUNDWATER**

### **F-1. Downstream Flows During Construction**

During construction of the pipeline across all perennial stream crossings, stream flows, if any, shall be diverted around construction areas to maintain downstream flows. Baseline water flows shall be maintained in coastal streams in order to avoid adverse impacts to lagoon or other sensitive habitats.

### **F-2. Sediment Retention Devices During Construction**

Sediment retention devices that allow continued streamflow shall be installed directly downstream of stream crossings during construction.

### **F-3. Stream and River Crossings During Construction**

For pipeline crossings at the following stream or river crossings: Tajiguas; Refugio; Gaviota; Nojoqui; Zaca; San Antonio Creeks, all additional perennial streams which the pipeline crosses: Santa Ynez; Sisquoc; and Cuyama Rivers, AAPLP shall construct the buried pipelines during the months of low historical streamflow, in order to minimize erosion loss downstream and protect surface water quality. In the event of low winter rainfall, earlier construction may be approved by Resource Management Department and County Flood Control Agency.

### **F-4. Riparian Habitat Corridors During Construction**

No staging areas shall be permitted within riparian habitat corridors.

### **F-5. Construction Contractors at Stream Crossings During Construction**

During pipeline construction at stream crossings, construction contractors will minimize time of disturbance, narrow the construction ROW to the extent feasible, stabilize the disturbed areas immediately following construction of the crossing, and divert runoff waters around construction areas to maintain downstream flows.

### **F-6. Deleted.**

### **F-7. Isolation Valves at Perennial Stream and River Crossings**

AAPLP shall install isolation valves on either side of all perennial stream and river crossings, including the Cuyama River, and/or as required by the Coastal Zoning Ordinance, unless the applicant can demonstrate that alternative methods will further reduce the potential leak impacts at the crossing site. These locations shall be identified prior to the Final Development Plan.



#### **F-8. Freshwater Source During Construction**

Prior to approval of the Final Development Plan, AAPLP shall identify the freshwater source considered for supplying pipeline and facility construction activities including hydrostatic test water, and shall estimate the total quantity required. Any water obtained from coastal or inland sources shall not significantly disrupt streamflows, groundwater resources, or habitat resources. Water conserving devices shall be used where feasible. Any water used during construction, (exclusive of hydrostatic test water), shall contain no more than 5,000 parts per million total dissolved solids. Disposal of hydrostatic test water within the County shall be according to a plan approved by the Regional Water Quality Control Board, or by the Flood Control Agency. This information shall be provided to and approved by the Resource Management Department as part of the Final Development Plan.

#### **F-9. Hydrogeologic Investigations for Sensitive Areas**

Prior to approval of the Final Development Plan, AAPLP will perform detailed hydrogeologic investigations for the sensitive areas identified in the EIR/EIS, (Table 3-14). These investigations will be conducted by a State of California registered geologist or engineer and will include but not be limited to:

- a) definition of groundwater depth, recharge sources, properties of overlying soils, hydraulic gradient, background water quality, and existing water uses.
- b) inventory of existing wells from State or County Flood Control Agency records in an area extending down-gradient from the pipeline in the aquifer equal to the distance groundwater would move in one year at a velocity calculated from the maximum hydraulic conductivity of the specific aquifer, hydraulic gradient, and porosity. The down-gradient sensitive area will be determined by a registered geologist.

This information will be reviewed by the Resource Management Department and used by AAPLP to formulate the Groundwater Contamination portion of an Oil Spill Contingency Plan, Condition P-5. This portion of the Plan will include;

- a) plans for monitoring and early detection of groundwater contamination, including aerial and ground surveys, pipeline pressure monitoring, and water sampling of strategic wells;
- b) plans for notification of affected groundwater users, and the Emergency Services Coordinator;
- c) clean-up response, reparations, restorations, and methods to determine and correct the contamination source; and
- d) identification of emergency alternate water supplies.

#### **F-10. Dam and Ditch Plugs in Pipeline Trenches by Aquifers**

At the base of slopes where the ROW approaches sensitive aquifers as identified in the EIR/S that are at risk from oil spills and leaks, a dam or ditch plug will be used in the pipeline trench. The sensitive areas are those where the ROW follows 1) topographic slopes toward basins with shallow depth to water, 2) high vertical permeabilities, and 3) a high degree of groundwater use as indicated by the hydrogeologic investigations required as per condition F-9. These areas shall be identified in the Final Development Plan.

#### **F-11. SSRRC Approval for All Creek and River Crossing Plans**



Prior to the approval of the Final Development Plan, the System Safety and Reliability Review Committee shall review and approve submitted plans of all creek and river crossings in Santa Barbara County. Permitted development shall not cause or contribute to flood hazards or lead to the expenditure of public funds for flood control works.

## **G. AQUATIC BIOLOGY**

### **G-1. Oil Spill Response Plan**

Fueling and lubrication of construction equipment will not occur within 0.25 miles of any flowing streams. No more than 2 barrels of fuel shall be kept at construction sites, exclusive of pipeline construction equipment fuel tanks, within 0.25 miles of all perennial creeks. As part of the oil spill response plan, AAPLP will submit plans for clean-up and restoration of affected areas in the event of a construction fuel spill.

### **G-2**

For the Gaviota Creek Pipeline Lowering and Relocation project, all construction and grading plans shall show the precise location of the environmentally sensitive habitats within the project vicinity. **Timing:** The ESH areas should be designated on all plans prior to CDP approval. **MONITORING:** Planning and Development staff to check plans. *(adopted by the Planning Commission on September 6, 2000)*

### **G-3**

For the Gaviota Creek Pipeline Lowering and Relocation project, during construction, washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified. **Plan Requirements:** The applicant shall designate a wash off area, acceptable to Planning and Development, on the construction drawings. **Timing:** The wash off area shall be designated on all plans prior to CDP. The washoff area shall be in place throughout construction. **MONITORING:** Planning and Development staff shall check plans prior to approval of CDP and the EQAP monitor shall site inspect throughout the construction period to ensure proper use. *(Mitigation Measure B-2) (adopted by the Planning Commission on September 6, 2000)*

## **H. TERRESTRIAL BIOLOGY**

### **H-1. Restoration, Erosion Control and Revegetation Plan**

#### **H-1(j) modified 12/16/92**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall submit a Restoration, Erosion Control, and Revegetation plan for the final proposed pipeline route and the pump station sites. The plan shall be submitted to the Resource Management Department for approval. Once approved, the plan shall be implemented by AAPLP. Success of the restoration and revegetation plans shall be monitored by a qualified independent biologist who is in addition to the managing environmental coordinator (Condition C-1). The plan shall contain, but not be limited to, the following:

- (a) Procedures for stockpiling and replacing topsoil, replacing and stabilizing backfill, such as at stream crossings, and steep or highly erodable slopes. Additionally, provisions shall be made for recontouring to approximate the original topography. Excess fill shall be disposed of off-site unless suitable arrangements are made with the property owner. Excess fill shall not be deposited in any drainage, or on any unstable slope.



- (b) Specific plans for control of erosion, gully formation, and sedimentation, including, but not limited to, sediment traps, check dams, diversion dikes, culverts and slope drains. Plan shall identify areas with high erosion potential and the specific control measures for these sites.
- (c) Procedures for containing sediment and allowing continued downstream flow at stream crossings, including scheduling construction activities during low-flow periods.
- (d) Procedures for re-establishment of vegetation that replicates or is functionally equivalent to indigenous and naturalized communities along the alignment. These shall include: measures preventing invasion and/or spread of undesired plant species; restoration of wildlife habitat value; and restoration of native plant species and communities. AAPLP shall consult with the County Farm Advisor and appropriate Ranch operators when developing procedures for revegetating areas used for cattle grazing and other agricultural uses;
- (e) Procedures for restoration of riparian corridor stream and river banks and stream bed substrates and elevation;
- (f) Procedures for minimizing all tree removal or tree root and branch damage, such as, flagging the corridor, keeping all disturbance to no more than the 100-foot pipeline right-of-way, feathering the right-of-way edges, providing for onsite monitoring of construction by a qualified independent biologist. In addition, special procedures are required for oak woodlands since County policy requires that these trees must not be cut down if feasible. Special procedures for oaks include reducing the right-of-way to the minimum width possible and minimizing the impact to the root zone of these trees;
- (g) Procedures for replacement of native trees and large shrubs removed from the 100-foot temporary easement during construction across riparian and woodland, in particular oak woodland, habitat, with saplings of the same species propagated from materials obtained from the same area, including provision for supplemental irrigation as necessary and feasible to ensure establishment, and provisions for protection of saplings from grazing animals;
- (h) A soil conservation program, to be applied in areas of 20 percent or greater slopes along the pipeline corridor.
- (i) Procedures for incorporating landowner concerns in the plan. Any changes to the plan instigated by such concerns shall be approved by the Resource Management Department.
- (j) AAPLP shall provide an endowment in the amount of \$841,000 to fund implementation of the Alternative Oak Mitigation Program to reestablish oak savannahs and woodlands in Santa Barbara County. (Modified 12/16/92)
- (k) The segment of the plan pertaining to Gaviota State Park shall be prepared in cooperation with the State Department of Parks and Recreation.

## **H-2. Impact Survey One Year After Construction**

One year after construction, a survey will be conducted, at AAPLP's expense, to determine the actual impact caused by construction. This survey shall include aerial photography, and as appropriate color stereo and infrared photography and field studies. The report will identify areas with potential for further impact, e.g., high erosion areas, that will require immediate remedial measures. The survey shall also contain an examination of previous mitigation measures and present a list of additional feasible mitigations based on the impacts during construction and potential impacts caused by operation. AAPLP and the Resource Management Department shall agree to additional feasible mitigations. This process shall be repeated as often as necessary by the Resource Management Department, but not more than annually.

## **H-3. Sensitive Habitat Areas**

In those areas where trees and other habitats such as riparian areas and oak woodlands are to be avoided within the approved corridor and temporary (for construction only) extra work spaces,



AAPLP shall assure contractor compliance with this condition by marking and/or fencing those resources. These areas include, but are not limited to, the sensitive resources identified by AAPLP and depicted on the 1" = 400' color aerial print photographs provided by AAPLP and the Environmentally Sensitive Habitat (ESH) areas identified by the County Resource Management Department. AAPLP shall avoid disturbance to the tarplant restoration site established by Texaco on State Park property.

#### **H-4. Additional Mitigation**

Additional reasonable and feasible conditions of mitigation, consistent with condition H-1 and to the extent necessary, shall be identified and observed as developed during the archaeological mitigation program (conditions L-1, L-2, L-3, L-6), and as identified by the managing environmental coordinator in consultation with AAPLP's Onsite Construction Representative (condition C-1).

#### **H-5. Deleted.**

#### **H-6. Herbicides During Construction**

AAPLP shall not use herbicides in wetland and riparian areas, and along the rest of the pipeline corridor during construction.

#### **H-7. Fish and Game Permit (1603)**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall receive a permit (1603) as required from the California Department of Fish and Game. This permit should include provisions to ensure that the proposed construction schedule will not interfere with reproductive activities of regionally rare or rare, threatened or endangered bird, amphibian, and fish species or other species of special concern, in those environmentally sensitive habitats identified in the EIR/EIS and shall submit this confirmation to the Resource Management Department. If the Department of Fish and Game determines that the construction schedule will have an impact then AAPLP will adhere to directives of the Department of Fish and Game with respect to their permit requirements.

#### **H-8. Deleted.**

#### **H-9. Hoffman's Nightshade Plan**

AAPLP shall minimize impacts to the population of Hoffmann's nightshade (*Solanum xanti* var. *hoffmannii*) found in the Gaviota Pass area. AAPLP shall submit plans to enhance the recovery of this population to the Resource Management Department for approval prior to issuance of the Coastal Development Permit and Land Use Permit.

These plans shall include provisions for removing any individual plants that would be affected, place them in large tubs, and replant them as near as possible to the original location (exclusive of the operation Right-of-Way) after construction; and gathering seeds prior to issuance of the Coastal Development Permit and Land Use Permit from the population of Hoffmann's nightshade located in the Gaviota Pass area and planting them in and near the ROW after construction. This shall be done under the supervision of a biologist approved by the Resource Management Department and in cooperation with the California Parks Department; this biologist may approve modifications to these techniques based on season of the year and state of dormancy.



#### **H-10. Catalina Mariposa Lily Plan**

AAPLP shall minimize impacts to the population of Catalina Mariposa lily (Calochortus catalinae) found in the Gaviota Pass area. AAPLP shall submit plans to enhance the recovery of this population to the Resource Management Department for approval prior to issuance of the Coastal Development Permit and Land Use Permit. These plans shall include provisions for gathering of seeds from the population found in or near the ROW prior to construction, planting the seeds in or near the ROW after construction (exclusive of the operation ROW), conserving the upper 18-24 inches of heavy clay soil which contains the plant's bulb-like corms found in the vicinity of the plants prior to construction, and then, after construction, replacing this soil which holds the plant's bulb-like corms. This shall be done under the supervision of a biologist approved by the Resource Management Department and in cooperation with the California Parks Department; this biologist may approve modifications to these techniques based on season of the year and state of dormancy.

#### **H-11. Refugio Manzanita Plan**

AAPLP shall minimize impacts to the population of Refugio Manzanita (Arctostaphylos refugioensis) found in Gaviota Pass area and affected by the proposed construction activities. AAPLP shall submit plans to enhance the recovery of this population to the Resource Management Department for approval prior to issuance of the Coastal Development Permit and Land Use Permit. These plans shall include provisions for gathering seeds and taking cuttings from the population of Refugio Manzanita found in and adjacent to the ROW prior to construction, and provisions for the planting of the seeds and plants propagated from cuttings in the final construction alignment (exclusive of the operation ROW) after construction. This shall be done under the supervision of a biologist approved by the Resource Management Department and in cooperation with the California Parks Department; this biologist may approve modifications to these techniques based on season of the year and state of dormancy.

#### **H-12. Restoration, Revegetation and Implementation Plan**

AAPLP shall prepare a Restoration, Revegetation and Implementation section as part of the Oil Spill Contingency Plan (P-5). The section shall be reviewed and accepted prior to start-up by the Resource Management Department and a biologist approved by the Resource Management Department. The section shall be submitted sufficiently prior to AAPLP's projected start-up date so as to allow reasonable time for staff review. Reasonable costs of review shall be borne by the applicant. The section shall contain site-specific restoration information for all habitat types including stream crossings, wetlands/lagoons, oak woodlands, grasslands, riparian zones, and other environmentally sensitive habitats. The section shall be divided into three major areas: a) Coastal, b) Streams and Rivers and c) Terrestrial habitats. Each of these sub-sections shall discuss the various habitats in the categories listed above. Methods to achieve restoration of all affected areas to their pre-spill conditions shall be discussed.

#### **H-13. Pump Station Landscaping**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall submit to the County Board of Architectural Review, and the Resource Management Department site-specific plans for landscaping of any pump station not within other required project vegetation screens. This plan shall, at AAPLP's expense, be reviewed by a qualified landscape architect and a biologist approved by the Resource Management Department to insure the proper plant materials and procedures identified in these conditions are implemented. These plans shall be developed in consultation with the property owner. The plan shall include:



- (a) The specifications of any potential seed mixtures to be utilized, including the plant species in the mixture and the pounds of seed per acre to be applied; type of mulch (fiber, chemical tackifier or straw); the type and amount of fertilizer; and any provisions for irrigation;
- (b) Confirmation that all native or non-native plant materials proposed in the revegetation plan are compatible with indigenous vegetation and that none of the plants used is known to be weedy or invasive. The plan shall provide for plantings that will screen facilities from view. This vegetation screening shall also be designed to reduce nighttime lighting and noise. Near chaparral or other high fire hazard areas, the seeds or seedlings will consist of native or non-native species, shown to contain fire retardant properties (such as toyon) and shown to be fast growing;
- (c) The specifications for native seeds and seedlings that will have wildlife habitat and food value. All perennial plants, and all woody plants are to be propagated from material obtained from the same area. Native plant material is to be obtained from a revegetation contractor. All native materials will be ordered from the contractor in advance of construction activities.
- (d) Confirmation that non-native material is to be confined to disturbed areas immediately adjacent to structures needing visual screening. Such screening is to include fast growing plants adequate to screen the facility from direct view;
- (e) A detailed irrigation plan if feasible for all revegetated areas requiring irrigation for establishment of plant materials;
- (f) AAPLP's commitment for continual monitoring of the revegetation so that weeds will be minimized.

#### **H-14. Landscaping and Revegetation Bonds**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall post a bond or other security agreement approved by the County Counsel to ensure that all landscaping and revegetation programs are completed to the County's specifications.

#### **H-15. Release of Landscaping and Revegetation Bonds**

Prior to issuing a release from the bond or other security agreement, a biologist and landscape architect hired by the County, at AAPLP's expense, shall conduct a field review of all revegetated and landscaped areas, to insure consistency with the intent and specifications of the revegetation and landscape plan. Necessary repairs or changes in landscaping or revegetation shall be made at AAPLP's expense.

#### **H-16. California Endangered Species Inventory**

Prior to approval of the Final Development Plan, a qualified biologist approved by the Resource Management Department will conduct site-specific field inventories for California state-listed species, as mandated by the intent and general provisions of Assembly Bill No. 3309, the California Endangered Species Act. The biologist will perform the surveys of the 100-foot ROW in areas suspected of having any of the species of special concern as identified in Appendix B Table B-6, DEIR/S, except for the peregrine falcon, least Bell's vireo, and Parish's sidalcea. Surveys for these species will be conducted prior to construction. The California Department of Fish and Game will be consulted concerning appropriate methods for survey as well as appropriate mitigation measures if these species are found on the ROW. Additional mitigation shall be developed and executed by AAPLP based on these surveys if determined necessary by the Resource Management Department.



#### **H-17. Raptor Nesting Habitat Survey**

Prior to issuance of the Coastal Development Permit and Land Use Permit, a wildlife biologist approved by the Resource Management Department will survey all potential raptor nesting habitats within 0.5 miles of the pipeline, to identify active and inactive nests and potential perch sites cleared by ridge-top construction. No construction will occur within 0.5 miles of active eyries during nesting season as determined by the biologist. Construction may be permitted by the Resource Management Department in consultation with the biologist near inactive nests provided nest sites are not disturbed. Where deemed necessary by the California Department of Fish and Game biologists, raptor perch or roost trees will be avoided and/or artificial roosts will be constructed on ridgelines to mitigate losses of such trees resulting from clearing the ROW on ridge tops.

#### **H-18. Construction ROW Through Riparian Habitats**

AAPLP shall limit the width of the construction ROW through all riparian habitats to the extent feasible. AAPLP shall submit a plan indicating the location and size of the construction ROW through all riparian habitats. These plans shall be approved by the Resource Management Department prior to the Final Development Plan.

#### **H-19. Construction ROW Designed to Avoid Trees**

The construction ROW shall be routed to avoid trees to the maximum extent feasible. When this is not possible, dying or diseased trees shall be removed preferentially over healthy trees.

#### **H-20. Suey Canyon Oak Woodland**

AAPLP shall minimize impacts to the oak woodland in the Suey Canyon area. This shall be done by using existing disturbed areas and by narrowing the construction corridor to the extent feasible by working on top of the spoils pile or selectively removing spoils, selectively removing trees (e.g. dying, or diseased trees) and revegetating to enhance re-establishment of oak saplings and/or similar mitigation.

#### **H-21. Los Alisos Creek Crossing**

AAPLP shall align the pipeline route in the vicinity of the Los Alisos Creek crossing in order to minimize the amount of riparian habitat disrupted.

#### **H-22. Parish's Checkermallow Field Survey**

Prior to the issuance of the Land Use Permit, a qualified biologist approved by the Resource Management Department shall conduct a site-specific field survey for the Parish's checkermallow along the approved right-of-way in potential habitat areas in the North County. Should any individuals be found along the right-of-way, AAPLP shall employ mitigation measures approved by the Resource Management Department to enhance the reestablishment of the species along the ROW (e.g., transplanting individuals).

#### **H-23. Gaviota Tarplant Plan**

AAPLP shall minimize impacts to the population of Gaviota tarplant (Hemizonia increscens ssp. villosa) found in the Gaviota area. AAPLP shall submit a plan to enhance the recovery of this population to the Resource Management Department for approval prior to issuance of the Coastal Development Permit. This plan shall include provisions for ensuring the preservation of the



current seed crop and seed stored in topsoil (seed bank) onsite. This shall be done under the supervision of a biologist approved by the Resource Management Department.

#### H-24. Restoration of Construction Work Areas

Impacts to existing vegetation within the temporary (for construction only) extra work space areas shall be minimized to the extent feasible. All disturbed areas, including temporary extra work spaces, shall be restored and revegetated pursuant to AAPLP's approved Restoration, Erosion Control, and Revegetation Plan (Condition H-1). Any grading of the temporary extra work space areas will require a separate Coastal Development Permit.

Use of the temporary (for construction only) extra work space areas on slopes greater than 30 percent shall be limited to spoil placement. Right-of-way restoration and revegetation on slopes greater than 30 percent shall be initiated immediately upon completion of pipeline installation.

#### H-25

AAPLP shall implement a project specific revegetation and restoration plan for the Gaviota Creek Pipeline Lowering and Replacement project. The plan shall include, but not be limited to the following measures:

- Landscaping in the riparian corridor shall consist of native riparian species including willow (*Salix lasiolepis*, *S. laevigata*), mule fat (*Baccharis salicifolia*), wild blackberry (*Rubus ursinus*), California wild rose (*Rosa californica*) at a minimum density of 3 feet on-center. Planting stock shall be obtained from the Gaviota Creek drainage.
- The new plantings shall be irrigated as necessary to promote establishment.
- Plantings shall be fenced or otherwise protected from browsers as deemed necessary by the EQAP monitor.
- Non-native species including tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus comunis*), mustard (*Brassica sp.*), star thistle (*Centaurea sp.*) shall be removed from the creek within the project area.
- Upland areas disturbed by construction shall be recontoured to pre-existing conditions (to the extent feasible) and revegetated consistent with the Restoration, Erosion Control and Revegetation Plan approved for the original pipeline project.

The plan shall include pre-established performance criteria to be used in final evaluation for bond release. **Plan Requirements:** Prior to CDP approval, the applicant shall submit the revegetation and restoration plan, prepared by a Planning and Development approved biologist, to Planning and Development for review and approval. The \$350,000 performance bond already in place for the original project shall cover performance security for the project. **Timing:** The plan must be approved prior to CDP approval. Revegetation and removal of non-natives shall be done so as to coincide with the onset of seasonal rainfall. **MONITORING:** Planning and Development staff shall site inspect for restoration. Maintenance shall be confirmed through site inspections. (*Mitigation Measure B- 1 and V-1*) (*adopted by the Planning Commission on September 6, 2000*)

#### H-26

AAPLP shall comply with the mitigative provisions of the following documents:

- NMFS Biological Opinion, December 31, 1998
- USFWS Biological Opinion, January 15, 1999
- ACOE Nationwide Permit, February 22, 1999
- CDFG Streambed Alteration Agreement, March 26, 1999
- NMFS Biological Opinion, May 31, 2000



These permits and mitigation measures are considered part of AAPLP's project description. **Plan Requirements:** These conditions shall be printed on all construction plans. **MONITORING:** P&D staff to ensure compliance with other agency permits. EQAP monitor to spot check in the field. *(Mitigation Measure B-3) (adopted by the Planning Commission on September 6, 2000)*

## I. SOCIOECONOMICS

### I-1. Oil and Gas Industry-Wide Monitoring and Mitigation Program

The cumulative impacts of oil and gas industry projects are expected to be significant to Santa Barbara County. Therefore AAPLP shall participate in an oil and gas industry wide monitoring and mitigation program to address socioeconomic impacts identified as significant environmental impacts attributable to their project. For projects such as pipelines, only the construction phase is expected to cause significant impacts, and AAPLP's participation in the program shall be limited to that phase. The criteria for allocating the costs of the monitoring and mitigation program and its mitigation requirements will be uniformly applied to all industry participants.

The intent of this program is to obtain realistic information regarding impacts identified in the EIR/EIS, and to allow impacted jurisdictions to require mitigation for project-related impacts. Mitigation of impacts through other planning programs, and/or through existing administrative infrastructure shall be taken into account. The scope of this program is detailed below. As subsequent details in the structure of the Program are developed by the County, such details shall supersede portions of this condition as appropriate.

The purpose of the Monitoring and Mitigation Program is to accurately assess the impacts of the AAPLP's proposed development, including those in the following socioeconomic areas:

- a. Temporary housing needs, particularly demand for state and other park campsites, recreational vehicle parks, motel-hotel rooms and rental housing;
- b. Longer term (more than one year) housing needs, particularly low and moderate income housing needs, and associated water demands, south coast Santa Barbara County;
- c. Public finance;
- d. Transportation of workers and materials to and from the site.

At any point when the Board of Supervisors determines that the monitoring program demonstrates that previous mitigation funds paid by AAPLP exceed the valuation of the impacts at issue, AAPLP shall be granted a credit against any other current or future mitigation fees imposed on AAPLP for this permit by the County. AAPLP shall be entitled to accrued interest at the prevailing legal rate which shall continue to accrue until the credit is used.

The Monitoring and Mitigation Program will be administered and staffed by the County of Santa Barbara, Department of Regional Programs. A Technical Advisory Committee will provide assistance and input in the documentation of significant adverse impacts and proposals to mitigate these significant impacts.

The Technical Advisory Committee will be composed of: two representatives from Santa Barbara's cities appointed by the Mayor's Select Committee and representing north and south county interests; one representative (each) from San Luis Obispo and Santa Barbara counties; and one representative from each affected oil and gas company (to the number of representatives agreed upon). AAPLP will be included in the committee until AAPLP submits its resignation.



In the event of unresolved technical issues in the area of methodology and calculation of socioeconomic impacts, there shall be a Technical Arbitration Group. The Technical Arbitration Group shall be composed of three individuals without ties to either the County or AAPLP, one to be selected by the County Board of Supervisors, one selected by the oil and gas company representatives and the final member selected by the first two members. All Technical Arbitration Group decisions shall be appealable upon written request to the Board of Supervisors. Subsequent details on voting procedures and conflict resolution will be proposed by the Department of Regional Programs and reviewed by the Board of Supervisors in a noticed public hearing.

Prior to approval of the Final Development Plan for this project, the monitoring and mitigation program will be refined. Based on information in the EIR/EIS and on other data as appropriate, practical thresholds which trigger the necessity for mitigation will be developed and adopted by the Department of Regional Programs with input from the Technical Advisory Committee. These thresholds will recognize the normal growth incorporated in County plans, prior and existing industry activity, and the decline of the industry if no further permitting is allowed. Methodologies used to establish thresholds and impacts will be developed in consultation with the Technical Advisory Committee.

The need for mitigation will be determined when threshold levels are exceeded as shown by monitored activities and other data as appropriate. The Department of Regional Programs will recommend a mitigation action to the County Board of Supervisors. The Technical Advisory Committee will assist in making the assessment and recommendations. The monitoring and mitigation program will continue through all stages of construction.

The monitoring, impact and mitigation elements of the program would be equivalent to those described in the Chevron Gaviota Project conditions, but modified as appropriate for the nature of the pipeline project.

## **I-2. Housing for Temporary Construction Workers**

Prior to approval of the Final Development Plan, AAPLP shall submit to the County Department of Regional Programs a plan which details how they plan to house temporary construction workers for every month of construction. This plan, to be implemented by AAPLP, shall demonstrate how AAPLP plans to reduce the housing impacts identified as part of the plan; e.g. exactly how much housing is needed, where it is needed and for how long; but not limited to, the following examples:

- (a) Use of existing under-utilized hotel/motel space during the months of September through May to provide for temporary living quarters for direct construction workers by month; identification of incentives to all the direct construction workers such as rent subsidies and/or shuttle service to the site.
- (b) Use of any available housing outside the South Coast area for all workers associated with the project during the summer months when visitor-serving facilities in the South Coast area are at capacity. Incentives for workers shall be identified such as rent subsidies and shuttle service for all workers commuting to the job site.
- (c) Methods to limit worker use of public campgrounds as living quarters. If it cannot be shown that the impact will be reduced from the estimate, AAPLP shall make a donation to the California State Parks or to Santa Barbara County Parks for the development of new campsites to offset their worker use of campsites. The donation shall be made prior to receipt of the building permit and determined by multiplying the estimated cost per developed campsite times 15. If it is shown by the Regional Programs Department and the Technical Advisory Committee that there is significant impact, the above-mentioned groups shall propose mitigation.



At any point when the Board of Supervisors determines that the monitoring program demonstrates that previous mitigation funds paid by AAPLP exceed the valuation of the impacts at issue, AAPLP shall be granted a credit against any other current or future mitigation fees imposed on AAPLP for this permit by the County. AAPLP shall be entitled to accrued interest at the prevailing legal rate which shall continue to accrue until the credit is used.

**I-3. Construction During Peak Tourist Seasons**

The pipeline construction period will be scheduled so as not to coincide with peak tourist seasons within each construction area in Santa Barbara County, provided that this scheduling does not interfere with any other conditions in this permit with respect to timing, in particular requirements regarding construction during stream and river low-flow. If such a conflict is found, than additional measures must be taken to provide the temporary housing needs for construction workers.

**I-4. Deleted.**

**I-5. Utilization of Local Labor**

AAPLP shall include provisions in its contractor agreements specifically to encourage and promote employment from local labor so as to reduce the impacts associated with the in-migration of workers.

**I-6. Project-Related Utilities and Services**

Except as otherwise provided herein, if the Socioeconomic Monitoring Program shows that project-related revenues will not compensate for needed capital or operating expenditures necessary to provide project-related utilities and services additional mitigation will be required.

**I-7. Distributing Oil Related Revenues**

In the event that state and/or federal revenue sharing legislation directed at distributing oil related revenues to state or local governments is approved or Santa Barbara County levies a tax (special or otherwise) on oil and/or gas processed or transported under this permit, then any condition herein requiring payments or other items of value by AAPLP to Santa Barbara County or any political subdivision thereof shall automatically be suspended pending a review by the County to determine the extent, if any, which the tax, revenue sharing, or any of the fees imposed are duplicative or unwarranted either as to the level of government services provided or the level of burdens imposed on the public.

**J. LAND USE AND RECREATION**

**J-1. Property Owner Notification of Construction**

Prior to construction, the entire pipeline ROW corridor shall be prominently staked. All affected property owners along the pipeline route shall be notified in writing at least 30 days prior to the commencement of any pipeline construction on their property, and at least 15 days in advance of any deviation from the staked corridor which crosses their property.



## **J-2. Mainline Pipeline Construction Time Lines**

All mainline pipeline construction activities except river, perennial coastal stream, and ESH area crossings as specified in condition H-7, once started, shall proceed in a diligent and expeditious manner and shall be completed within nine months after the starting date, subject to necessary and/or unanticipated time extensions approved by County, in consultation with affected property owners.

## **J-3. Pipeline Construction Work Hours**

Pipeline construction activities shall be limited to the period between 7 a.m. and 7 p.m., Monday through Saturday. Except for emergency services, construction activities shall not take place on Sundays, the dates generally recognized for Memorial Day, July 4, Labor Day, or any other similarly recognized holiday, unless previous arrangements have been made with the affected property owners.

## **J-4. Privacy and Security of Property Owners During Construction**

Prior to approval of the Final Development Plan, AAPLP shall consult with affected property owners to develop reasonable and mutually satisfactory controls for maintaining the privacy and security of affected properties while construction is in progress.

## **J-5. Property Owner Notification of Construction Within 48 Hours**

Unless easements have been obtained from affected property owners or unless otherwise agreed to by affected property owners, AAPLP shall provide affected property owners written notice at least 48 hours prior to the start of construction on their property, which shall include:

- a) Description of vehicles using roads on the property, including type, size, identification, proposed times of entry and departure, destinations, and the intended route to the destination. (Fire, medical, or similar emergency vehicles can enter as necessary.) Significant changes in the schedule of construction-related vehicular traffic shall be allowed within the 48-hour advance noticing subject to direct communication (e.g. telephone, personal communication) by AAPLP with the affected property owners;
- b) Description of estimated construction schedule across the property. Any blasting necessary during construction shall be noticed to all property owners within a one mile radius of the blasting area;
- c) Description of times of limited access through and across the property, such as road closures on the property, indicating specific location, time and duration of the limited access or closure. Road closure is considered to include partial road blockage or disturbance. Suitable vehicular by-pass shall be provided during all closures;
- d) Description of any probable hazard or other unsafe condition during the pipeline construction period, indicating the nature of the hazard, the area in which the condition will occur, and the time and duration of the activity. AAPLP and its contractors shall take prompt and adequate action to correct any hazard or damage that does occur during construction, and shall provide appropriate noticing as per other parts of this condition;
- e) Description of helicopter and/or vehicle reconnaissance schedules for pipeline maintenance, indicating times, stops, and duration. AAPLP shall establish and enforce appropriate rules for its personnel and its contractors to assure that they will not be in the area except when necessary to carry out construction, inspection, repair and maintenance activities, or emergency services;



- f) Description of schedule for cutting any fences or similar barriers during pipeline construction.

**J-6. Deleted.**

**J-7. Property Owner's Fences/Barriers During Construction**

Unless easements have been obtained from affected property owners or unless otherwise agreed to by affected property owners if and when fences or other similar barriers must be cut during pipeline construction, AAPLP shall provide advance notice to the affected property owner, and shall replace the function of the cut fence before the cut is made to the satisfaction of the property owner, and AAPLP and its contractors shall restore all fences that have been cut, moved, or damaged to at least their condition prior to pipeline construction, except that gates or similar structures may be added as approved to provide access.

**J-8. Utility Lines and Services During Construction**

Interruption of telephone, electrical power, water or other utility services shall be minimized to the extent feasible during the pipeline construction period. AAPLP, or its contractors, shall contact each property owner or the appropriate utility regarding the location of utility lines, and all such utility line locations shall be staked by AAPLP or its contractors prior to the start of construction on the affected property.

**J-9. Compliance with All Applicable County Statutes, Etc.**

During the pipeline construction period in the County, AAPLP and its contractors shall comply fully with all applicable statutes, ordinances, rules and regulations, including traffic regulations, of the County.

**J-10. Proof of ROW Prior to Construction**

Prior to entering upon any parcel of property for purposes of commencing construction, AAPLP shall demonstrate to the Resource Management Department that it has obtained a right-of-way for such parcel or otherwise has obtained the right to enter the property for purposes of constructing the pipeline.

**J-11. Restricted Use of ROW After Construction**

Following installation of the pipeline, use of the right-of-way is restricted to operational maintenance of the pipeline except where expressly permitted by the easement or landowner and consistent with other regulations and conditions.

**J-12**

AAPLP shall implement the sign plan approved by State Parks, and dated August 11, 2000, prior to beginning work on the Gaviota Creek Pipeline Lowering and Relocation project. **MONITORING:** EQAP monitor to check in field. *(adopted by the Planning Commission on September 6, 2000)*



## **K. TRANSPORTATION**

### **K-1. Worker Transportation Program**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall submit to the Resource Management Department and the Department of Public Works, Road Division a worker transportation program designed to minimize traffic-related impacts. The plan shall identify on- and off-site parking areas, access routes, shuttle program to reduce number of working vehicles on and along pipeline construction corridor, measures to avoid traffic conflicts with residents using all roads affected, number of vehicles accessing the facilities sites and incentives for ride-pooling/van-pooling to the sites. Construction worker traffic and parking shall not interfere with normal and reasonable uses of private property or recreational areas. This Construction Traffic Mitigation Plan shall be submitted by AAPLP and approved by County prior to initiation of construction. The program must consider both AAPLP's employees and contractors.

### **K-2. Permanent Parking Areas at the Pump Stations**

Any new permanent parking areas at the pump stations shall be screened from public view pursuant to the landscape plan approved by the Board of Architectural Review.

### **K-3. Engineering Plans for All Pipeline Crossings of County Roads**

The final engineering plans and procedures for all pipeline crossings of County roads must be approved prior to issuance of the Land Use Permit and Coastal Development Permit by the Department of Public Works. Notification of such approval must be submitted to the Resource Management Department prior to construction at the site.

### **K-4. Pipeline Construction Activity Limited to ROW**

All pipeline construction activity, except ingress and egress along routes approved by the Resource Management Department and in consultation with affected property owners, shall be limited to the final staked right-of-way on the final approved pipeline route. Use of any private roads or other areas shall be allowed only after advance approval from the affected property owners.

### **K-5. Mitigation Plan for Impacted County Roads**

Prior to the Final Development Plan, AAPLP must submit to the Public Works Department for approval a plan to mitigate impacts to all County roads which will be used during construction. This plan will include the type of vehicles and machinery which will traverse the roads, the frequency of road use for each piece of equipment and vehicle, and the gross vehicle weights loaded and unloaded. This includes the above information for trucks carrying pipe, fuel, construction supplies, or construction crews through the County to the construction spreads. This plan shall include an agreement with the County to repair any obvious damage to the satisfaction of the Public Works Director and any reasonable fees associated with eventual reconstruction caused by project-related damages of the public roads. Prior to drafting this agreement, County shall coordinate with AAPLP in compiling a list of County roads which will be used for construction of the pipeline. AAPLP shall demonstrate property owner (or Court) approval of private road maintenance plans or terms on privately owned parcels to the Resource Management and Public Works Department prior to entering upon said parcels for purposes of commencing construction.



**K-6**

If repairs are necessary to roads used by construction equipment for the Gaviota Creek Pipeline Lowering and Relocation project, AAPLP shall either complete the repairs or provide funding as determined by State Parks, County Public Works or Caltrans. **MONITORING:** EQAP monitor to visually inspect roads before and after the construction period. *(adopted by the Planning Commission on September 6, 2000)*

**K-7**

AAPLP shall provide workers at the access road gate and the work site to manage traffic by radio for the duration of the Gaviota Creek Pipeline Lowering and Relocation project. AAPLP shall coordinate with PAPCO/PANGL and any subcontractor normally requiring access to the site. **MONITORING:** EQAP monitor to check in field. *(adopted by the Planning Commission on September 6, 2000)*

**L. CULTURAL RESOURCES**

**L-1. Cultural Resources Surveys Plan**

Prior to approval of the Final Development Plan, AAPLP shall submit a plan detailing the methods for the Phase I (walkover) and Phase II (site importance assessment) cultural resources surveys. In addition, AAPLP shall submit all Phase I cultural work completed to date. These reports shall be approved by the Resource Management Department as part of the Final Development Plan.

Prior to issuance of the Land Use Permit and Coastal Development Permit, AAPLP shall complete Phase I and Phase II cultural resource surveys for the entire route. The results of these surveys shall be approved by the Resource Management Department prior to issuance of said permits. AAPLP shall avoid to the maximum extent feasible all known cultural resource sites along the pipeline route unless safety (e.g. seismic or engineering practices) considerations or sensitive biological habitats preclude avoidance.

**L-2. Cultural Resources Mitigation Plan**

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP, in consultation with the Native American Community, shall commence the cultural resources mitigation plan, in accordance with CEQA Appendix K, County approved Prehistoric Archaeological Guidelines, and section 4.1.1.11, Cultural Resources, of the EIR/EIS. Implementation of the mitigation plan shall proceed on an expeditious and effective schedule in order to minimize or to avoid conflicts with other construction scheduling requirements delineated in other permit conditions. The main components of the mitigation plan shall include:

- a) Selection of a qualified archaeologist by the County Resource Management Department in consultation with Native American representatives. The archaeologist shall be available on an as-needed basis through the completion of pipeline construction. The archaeologist shall be funded by AAPLP and shall be responsible to the County Resource Management Department. Compensation shall cover all excavation, analysis, and report preparation for all areas investigated including those found during construction;
- b) Avoidance of known sites wherever feasible;
- c) Test excavations of known sites that cannot be avoided. These test excavations will assess the importance of each site according to CEQA Appendix K criteria or other requirements and will result in appropriate data recovery as a mitigation measure;
- d) Inclusion of Native American representatives in all field activities;
- e) Additional sub-surface sampling (use of shovel test pits) in defined sensitive areas which will be affected by project construction to confirm the presence/absence of previously



unknown (undiscovered) sites. This will include surveying of proposed construction access road areas, once identified by AAPLP. Any new sites found shall be treated as per condition L-2(b, c);

- f) Following the determination of site importance, AAPLP shall inform the County of any additional plans for site avoidance. For those sites not avoided, the consulting archaeologist shall, in consultation with the Native American community, prepare site-specific mitigation (excavation/data recovery) plans; and
- g) Implementation and completion of the field work aspects of the site-specific mitigation plans prior to construction in the vicinity of the resource.

### **L-3. Pre-Construction Workshop with Native Americans**

Prior to pipeline installation activities, AAPLP shall sponsor a workshop for its pipeline contractors and Native American consultants to review and explain the mutual concerns and activities of the parties during pipeline installation work.

### **L-4. Archaeologist and Native American On-Site During Construction**

During pipeline installation, a Resource Management Department approved archaeologist and Native American consultant(s) will work with the contractor during trenching to insure continued avoidance. Adequate monitors shall be provided pursuant to an agreement between the Native American representatives and AAPLP, and the archaeologist retained.

### **L-5. Ownership of Non-Burial Associated Cultural Resource Artifacts**

If non-burial associated cultural resource artifacts are recovered during pipeline installation (the location of such artifacts being unknown prior to installation), ownership of such artifacts shall be the option of either AAPLP, the Native American Community, or the archaeological community. In recognizing the origin of the materials, the Native American Community shall have the first option for ownership. The disposition of the artifacts shall be carried out as per the approved County guidelines.

### **L-6. Burial Associated Artifacts Found During Construction**

If burials or burial associated artifacts are found during installation (that were unknown prior to excavation), and cannot be avoided because of safety considerations, there shall be no further excavation or disturbance of the site. AAPLP, in conjunction with the Native American representatives and the Resource Management Department, shall adhere to the guidelines in CEQA Appendix K and the County Archaeological guidelines prior to continued construction activity in the site area.

### **L-7. Phase II Cultural Resource Guidelines**

If the County cultural resource guidelines for Phase II are modified and approved prior to November 19, 1985, AAPLP shall abide by the requirements set forth in the guidelines in place at the time of Final Development Plan approval.

### **L-8**

For the Gaviota Creek Pipeline Lowering and Relocation project, construction envelopes shall be restricted to those areas shown on the site plans dated 8/4/99, in order to avoid impacts to the cultural resources. No construction, earth disturbance or construction equipment shall occur or operate outside of these areas. Subsurface structures including septic systems and utilities and accessways including roads, driveways and utilities shall not be placed outside the



envelopes. Envelope boundaries shall be staked in the field. Prior to vegetation removal, the proposed easternmost staging area must be delineated and an archaeologist must verify that the staging area is not located over either of CA-SBA-2067/H's recorded historic adobe foundations or that adequate matting (as determined by the Gaviota State Park's archaeologist) is placed over the foundations. **Plan Requirements:** Construction envelopes shall be shown on all grading and building plans. This condition shall be noted on all final plans to describe the activities disallowed outside the approved envelopes. **Timing:** Construction drawings shall be submitted to Planning and Development prior to CDP. Envelopes shall be staked prior to start of grading or structural development. **MONITORING:** During plan check, the planner shall ensure that all construction is to occur within approved envelopes. Staking shall be checked during pre-construction meeting. Planning and Development's EQAP monitor and planners shall inspect and photo document during all construction phases to ensure development is confined to construction envelopes and that staking remains in place during site grading and construction. *(Mitigation Measure AR-1) (adopted by the Planning Commission on September 6, 2000)*

#### L-9

At the commencement of project construction for the Gaviota Creek Pipeline Lowering and Replacement Project, the archaeological monitor shall give all workers associated with earth-disturbing procedures an orientation regarding the possibility of exposing unexpected cultural remains and directions as to what steps are to be taken if such a find is encountered. **MONITORING:** EQAP monitor to verify orientation is conducted at meeting. *(Mitigation Measure AR-2) (adopted by the Planning Commission on September 6, 2000)*

#### L-10

For the Gaviota Creek Pipeline Lowering and Replacement project, all earth disturbances including scarification and placement of fill within the archaeological site area shall be monitored by a Planning and Development-qualified archaeologist and a Native American Consultant pursuant to County Archaeological Guidelines. **Plan Requirements and Timing:** Prior to commencing work, a contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description and scope of work, shall be prepared. The scope of work must be submitted to Planning and Development for review and comment. **MONITORING:** Planning and Development planners shall confirm monitoring by archaeologist and Planning and Development's EQAP monitor shall spot check field work. *(Mitigation Measure AR-3) (adopted by the Planning Commission on September 6, 2000)*

#### L-11

In the event archaeological remains are encountered during grading for the Gaviota Creek Pipeline Lowering and Replacement project, work shall be stopped immediately or redirected until a Planning and Development qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on construction drawings and submitted to Planning and Development prior to CDP. **MONITORING:** EQAP monitor shall spot check in the field. *(Mitigation Measure AR-4) (adopted by the Planning Commission on September 6, 2000)*

#### L-12

If human remains are unearthed during the Gaviota Creek Pipeline Lowering and Replacement project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of



Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendent of the deceased Native American. **Plan Requirements/Timing:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor shall spot check in the field. *(Mitigation Measure AR-5) (adopted by the Planning Commission on September 6, 2000)*

## **M. VISUAL RESOURCES**

### **M-1. Board of Architectural Review Approval**

All facility design (e.g. pump stations, landscaping and signs), shall be in accordance with a plan approved by the County Board of Architectural Review (BAR) including the criteria outlined in the Coastal Zoning Ordinance Section 35-87.9 and Section 35-184. Prior to the issuance of the Land Use Permit and Coastal Development Permit, AAPLP shall submit to the BAR and the Resource Management Department and obtain their approval of a plan demonstrating that Conditions M-2 through M-5 are met. For visual screening of surface equipment along the pipeline route, AAPLP shall consult with each affected property owner during development of the associated landscaping plan.

### **M-2. Exterior Lighting**

No unobstructed or unshielded beam of exterior lighting shall be directed towards any area outside the exterior boundaries of AAPLP's property or easement. Any lighting along roadways within the project shall utilize low intensity, ground level, shielded fixtures. The plan shall demonstrate that all feasible measures have been taken to reduce obtrusive night lighting and glow from the pump stations.

### **M-3. Pump Station Facilities Lighting**

To the extent feasible no glare or other radiation resulting from pump station facilities, other than lighting fixtures constructed pursuant to this Development Plan, shall be detectable at any point along or outside the required screening along exterior boundaries of the pump stations.

### **M-4. Painting of Pump Stations Prior to Pipeline Operation**

Prior to the pipeline operation, the Gaviota pump station, visible from Highway 101 and the Gaviota Village, the Sisquoc pump station visible from public viewshed, and all above ground portions of the pipeline shall be painted to harmonize with the surrounding area.

### **M-5. Visibility of Above-Surface Structures**

No above-surface structures except necessary pipeline markers, pump stations, cathodic test stations, necessary fencing, and block valves shall be visible along this route after the completion of pipeline construction. Signs shall not detract from scenic areas or views from public roads to the extent feasible.

### **M-6. Determination of ROW in Gaviota State Park**

Prior to construction, AAPLP will review the feasibility of implementing mitigation measures and/or realignments in the Gaviota State Park area to avoid blasting of ridgetops and alteration of topography in a scenic area. AAPLP shall submit a plan to the Resource Management Department, for review and approval, which identifies the feasibility of shifting the ROW alignment to the west, leaving the ridge profile undisturbed. The plan shall include an investigation of utilizing prefabricated pipeline bends to allow for alignment around ridgetops, the



use of stepped benches in steep terrain, and the future use of such a corridor for additional pipelines.

#### M-7

Any exterior night lighting installed on the project site for the Gaviota Creek Pipeline Lowering and Replacement project shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the project site and prevent spill-over onto adjacent areas, especially U.S. Highway 101. In addition, AAPLP shall consult with Caltrans on the location and type of lighting to be used to ensure it does not present a traffic hazard. **Plan Requirements and Timing:** This requirement shall be printed on all construction drawings prior to issuance of Coastal Development Permit (CDP). AAPLP shall provide Planning and Development with a letter documenting their coordination efforts with Caltrans prior to CDP. **MONITORING:** EQAP monitor to confirm no impacts from night lighting. (*Mitigation Measure V-2) (adopted by the Planning Commission on September 6, 2000)*

#### N. NOISE

##### N-1. Noise Monitoring and Control Plan

Prior to issuance of the Coastal Development Permit and Land Use Permit, AAPLP shall file with the Resource Management Department a Noise Monitoring and Control Plan which has been approved previously by the Department of Health Care Services and the Resource Management Department. The plan shall describe the best efforts AAPLP shall take to reduce the noise impacts of the project both during construction and operation of the project. The approved plan shall be implemented by AAPLP and shall be followed until temporarily suspended or deemed no longer necessary by the Resource Management Department. The plan shall include provisions to ensure that items N-2 through N-6 below are included.

##### N-2. Sound Levels During Operation

Except for motor vehicles and motorized construction equipment, all facilities shall be designed, constructed, operated and maintained such that sound levels during operation do not exceed 70 dbA at or beyond the property line or pipeline easement, as measured on the "A" weighted scale at slow response on approved sound level measuring instruments. Affected property owners along the pipeline route shall be notified by AAPLP at least 48 hours in advance of any planned testing or maintenance of the line which may exceed noise standards. The facility shall comply with all standards established in the Noise Element of the Comprehensive Plan and the Coastal Zoning Ordinance. No residents, teachers, students and staff at the Vista del Mar School shall be subjected to greater than a 9 dbA increment above the baseline ambient noise level, nor greater than a 3 dbA increase in day-night sound levels. The best available technology, including but not limited to muffling equipment, sound barriers, and landscaping measures shall be used to minimize operational noise impacts.

##### N-3. Project-Related Noise During Construction

During the construction and operation phases, project-related noise at the Gaviota State Park, Vista del Mar School, Buellton area, or other points which may be impacted (as determined by the Health Care Services Director), shall be minimized between the hours of 7:00 a.m. and 10:00 p.m. Prior to construction in the impacted areas, AAPLP will notify all residents within 1200 feet of the pipeline that noise impacts may occur during specific construction periods. Noise shall be limited to 50 dbA between the hours of 10:00 p.m. and 7:00 a.m., consistent with the County Noise Element and the Coastal Zoning Ordinance. Blasting shall be limited to the hours between 7:00 a.m. and 7:00 p.m. and directional charges shall be used to minimize noise.



#### **N-4. Noise Generating Activities During Construction**

As determined by the Resource Management Department, noise generating project activities (including delivery of construction equipment through residential areas) shall be restricted between the hours of 10:00 p.m. and 7:00 a.m. If complaints arise concerning activities occurring during these hours, AAPLP shall take additional feasible steps to reduce the noise levels or further restrict the offending activity.

#### **N-5. Helicopter and Aircraft Noise**

Prior to approval of the Final Development Plan, AAPLP shall submit to the Director of the Resource Management Department procedures that AAPLP will take to minimize noise impacts from helicopters, or other aircraft during the aerial surveys of pipeline. The procedures, to be approved by the Resource Management Department, shall specify overflight routes to be taken to minimize noise impacts to the community and other feasible measures. AAPLP shall direct its contractors to abide by the helicopter procedures and shall take reasonable corrective action if complaints arise concerning the use of helicopters. Subject to flight safety considerations, AAPLP shall avoid helicopter flights over residential areas.

#### **N-6. Operation-Related Equipment Noise**

All construction and operation-related equipment shall be operated and maintained to minimize noise generation, ground vibration, and to avoid interference with radio or video communications.

#### **N-7**

For the Gaviota Creek Pipeline Lowering and Replacement project, construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 5:00 p.m. No construction shall occur on State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities are not subject to these restrictions. For the final pipeline segment tie in activities, work may continue beyond these hours as authorized by State Parks. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor shall spot check and respond to complaints. *(Mitigation Measure N-1) (adopted by the Planning Commission on September 6, 2000)*

#### **O. ABANDONMENT**

##### **O-1. Removal of Pipeline and Pump Stations Upon Permanent Shut Down**

Immediately following permanent shut down of the pipeline, AAPLP shall remove abandoned pump stations and unburied portions of the pipeline within Santa Barbara County constructed under this permit, recontour the site and revegetate the site in accordance with a County approved revegetation plan within one year of permanent shut down. AAPLP shall post a performance bond to insure compliance, or continue to pay property taxes as assessed during project operation until site restoration is complete, as determined by the County.

#### **P. SYSTEMS SAFETY AND RELIABILITY**

##### **P-1. SSRRC Review of Diagrams**

AAPLP shall submit all appropriate pump station, valve, and pipeline construction and process diagrams to a System Safety and Reliability Review Committee (SSRRC) who may employ a



third-party technical review in order to evaluate pipeline design and help identify possible design hazards prior to construction. The System Safety and Reliability Review Committee shall consist of a representative from the County Public Works Department, the APCD, the County Fire Department, County Flood Control District and the Resource Management Department. All reasonable costs associated with any County review shall be borne by AAPLP. AAPLP shall be entitled to participate fully in the review process. If the review reveals a concern, the SSRRC shall share its findings with AAPLP. If AAPLP does not agree with the findings, the County's recourse is with the Department of Transportation, Office of Pipeline Safety for areas of pipeline construction under the jurisdiction of 49 CFR Part 195 (Transportation of Hazardous Liquids by Pipeline), with the exception of areas/issues agreed to by AAPLP and the County.

**P-2. Safety Inspection, Maintenance and Quality Assurance Program**

AAPLP shall submit a detailed Safety Inspection, Maintenance and Quality Assurance Program for the pump stations, valves, and the pipeline which shall be implemented during construction and operations. The Program shall include, but not be limited to, inspection of construction techniques, regular maintenance and safety inspections, periodic safety audits, corrosion monitoring and leak detection, inspections of all trucks carrying hazardous and/or flammable material.

The construction section of the Program shall be reviewed by the System Safety and Reliability Review Committee and/or its consultants prior to issuance of the Coastal Development Permit and Land Use Permit. AAPLP shall fund a full-time U.S. Department of Transportation (or designated representative) pipeline inspector during pipeline construction phase activities. The operations section of the Program shall be reviewed by the System Safety and Reliability Review Committee and/or its consultants prior to start-up. The Program shall be submitted sufficiently prior to AAPLP's projected start-up date so as to allow reasonable time for staff review. All costs associated with this review process shall be borne by AAPLP. Should the Committee find fault with these submissions, it will indicate its concerns to AAPLP. If AAPLP decides not to modify its plans to meet these concerns, the County's recourse is with the Department of Transportation, Office of Pipeline Safety for all areas under the jurisdiction of 49 CFR Part 195 (Transportation of Hazardous Liquids by Pipeline). In such a case, County shall timely notify DOT of review findings. Permits may not be withheld or suspended due to County concerns which are under the jurisdiction of 49 CFR Part 195 (Transportation of Hazardous Liquids by Pipeline), with the exception of areas/issues agreed to by AAPLP and the County.

**P-3. Emergency Response Plan**

AAPLP shall submit an Emergency Response Plan detailing response procedures to be implemented by AAPLP for accidental events affecting public safety and the environment. This plan shall be based on a comprehensive risk analysis reviewed by the System Safety and Reliability Committee (condition P-1). The plan shall be reviewed and approved by the County Emergency Services Coordinator, the Fire Department, and the Resource Management Department prior to start-up. Approval of the Plan shall be based on its consistency with the County's Area-Wide Oil and Gas Emergency Response Plan. The Program shall be submitted sufficiently prior to AAPLP's projected start-up date so as to allow reasonable time for staff review. AAPLP shall demonstrate the effectiveness of the Emergency Response Plan by responding to one emergency response drill prior to or immediately after start-up.

**P-4. Funding the County Emergency Response Plan**

In order to assure that County emergency response procedures adequately interface with the AAPLP emergency response procedures, AAPLP shall provide its reasonable pro-rata share of funds to the County, to develop and implement a feasible County Emergency Response Plan for



oil and gas industry related emergencies. As appropriate, the County shall request funds from other oil industry operators to aid in funding of the County Emergency Response Plan. When available, the Resource Management Department shall provide AAPLP with an estimate of the pro rata share of funds to be provided by AAPLP and the method for allocating such costs among other operators.

**P-5. Oil Spill Contingency Plan**

AAPLP shall submit an Oil Spill Contingency Plan detailing cleanup procedures and restoration procedures to be employed in the event of a spill. This plan shall be reviewed and approved by the Resource Management Department and the County Emergency Services Coordinator prior to start-up. The Program shall be submitted sufficiently prior to AAPLP's projected start-up date so as to allow reasonable time for staff review.

Procedures and techniques shall be selected to augment the Emergency Response Plan. The intent of the Oil Spill Contingency Plan is to detail spill site restoration subsequent to emergency response. The plan shall be approved based on its consistency with the intent of the condition "to detail site restoration subsequent to emergency response."

**P-6. Site Security Plan**

Prior to approval of the Final Development Plan, AAPLP shall submit to the Santa Barbara County Sheriff's Department for review and approval a site security plan. The plan shall describe procedures to be implemented by AAPLP which will prevent intentional damage to facilities which may result in environmental damage or public safety hazards.

**P-7. Temporary County Fire Company**

AAPLP shall cooperate with Chevron as necessary to facilitate the establishment of a temporary County fire company until the completion of the fire station (as specified in Chevron condition P-9). Prior to issuance of the Coastal Development Permit and Land Use Permit, the County Emergency Response Coordinator and Fire Department must be satisfied that provisions have been made to establish an operational fire company in the project area.

**P-8. Cooperation with Chevron for Gaviota Area Fire Station**

Prior to approval of the Final Development Plan, AAPLP shall agree to participate in a plan to be submitted to the County Fire Department by Chevron USA Inc., for the construction, manning and equipping of a fire station in the Gaviota area. AAPLP shall contribute their pro rata share of the cost of implementing this plan. When available, the Resource Management Department shall provide AAPLP with an estimate of the pro rata share of funds to be provided by AAPLP and the method for allocating such costs among other operators.

**P-9. Fire Protection Plan for the Pump Stations**

Prior to Final Development Plan, AAPLP shall submit to and obtain conceptual approval from the Fire Department, a Fire Protection Plan for the pump station locations. Final approval shall be obtained prior to start-up. Criteria to be addressed shall be obtained from the County Fire Department.

**P-10 Transporting LPGs and NGLs Through Pipelines**

Prior to approval of the Final Development Plan, AAPLP shall assess the feasibility of transporting liquefied petroleum gases and natural gas liquids, (LPGs and NGLs) through the



proposed pipeline by blending and/or batching, considering industry-wide projected volumes and market destinations of the gas liquids. AAPLP shall report to the Resource Management Department the results of this assessment, and this information shall include all technological and safety constraints involved, amount and type of additional storage facilities needed, and the degree to which LPGs and NGLs produced in the area can be transported through AAPLP's pipeline. AAPLP shall transport the NGLs through this pipeline, to the extent feasible within safety and legal constraints as identified by the report and as requested by the users. In addition, under the reporting provisions of Condition C-1, AAPLP shall inform the County of the types and amounts of gas liquids shipped in the pipeline during operations.

**P-11. Vista del Mar School Accommodation**

If the Vista del Mar School has not been relocated or is located at a site where it could be impacted by construction activities, prior to approval of the Final Development Plan, AAPLP and the Board Trustees of the Vista Del Mar School District shall develop a reasonable and mutually agreeable construction plan for the pump station site and pipelines adjacent to the site that will minimize construction-related noise, air pollution, and visual disturbance to the School during school hours. Said construction plan shall include the following:

Pipeline construction noise near the School shall be held to ambient noise levels or construction shall occur only when school is not in session; to prevent exceedance of the California one-hour NO<sub>2</sub> standard, construction schedules must be modified to minimize overlapping of equipment emissions; and, during construction of the pipeline, activities nearest the school shall be scheduled when school is not in session in accordance with Condition B-5 and temporary barriers shall be erected around noisiest activities. No grading for the Gaviota pump station shall occur during School session hours.

In the event that any agreements contained herein cannot be reached on the construction plan, the Board of Supervisors shall arbitrate any dispute.

**P-12. Deleted.**

**P-13. Communication at the Operations Control Center and Activated Valves**

AAPLP will design the pipeline such that the entire pipeline will have effective control communication between the operations control center and all remotely activated valves. Any break, rupture, and/or damage to the pipeline shall result in the orderly shutdown of the pumping operations, and will activate the shut off valves, if appropriate, in a manner which will minimize environmental damage.

**P-14. Compliance with the Watershed Fire Protection Plan**

During construction of the pipeline in fire sensitive areas, AAPLP shall meet or exceed applicable guidelines and requirements set forth in a Watershed Fire Protection Plan provided by the combined local fire protection agencies, Santa Barbara County Fire, U.S. Forest Service, and the California Department of Forestry. This shall include, but not be limited to: modifications of welding operations, required fire patrolman position(s), firefighting equipment, and construction restrictions due to extreme fire weather.

**P-15. Compliance with the National Fire Protection Association Standards**

All facilities, construction activities and equipment shall comply with National Fire Protection Association standards.



**P-16. Map of Finished Pipeline Route**

Upon completion of pipeline construction, AAPLP shall provide all jurisdictional agencies (S.B. County Fire, USFS, CDF) with at least two copies of maps showing the finished pipeline route and shall include locations accessible by fire department emergency response vehicles. Said maps shall be 7 1/2 minute quadrangle scale, (one inch equals 24,000 inches), and shall represent topographical features.

**P-17. Compliance with the 1982 Uniform Fire Code**

AAPLP shall be subject to required fire department inspections during and after construction as set forth by the 1982 Uniform Fire Code and these conditions.

**P-18. Alternative Pipeline Corridor Alignments**

Prior to approval of the Final Development Plan, AAPLP shall designate alternative pipeline corridor alignments which avoid the two potentially impacted, proposed alternative permanent relocation school sites now under study by the Vista del Mar Union School District. These proposed alternative locations are the State Park at Las Cruces, and the Tajiguas Ranch property. County shall review and approve said alternative alignments as part of the Final Development Plan and AAPLP shall implement the appropriate alternative alignment depending on the permanent school relocation site chosen by the Vista del Mar School District.

**P-19. PCB Contamination at Canada de la Huerta**

Prior to initiation of any pipeline construction at Canada de la Huerta, AAPLP shall demonstrate to the satisfaction of Environmental Health Services that either: (1) no PCB contamination exists in the road and fill area across which the pipeline alignment is proposed; or, (2) that any PCB contamination detected has been adequately remediated. AAPLP shall submit verification of Environmental Health Services' approval for construction to the Resource Management Department prior to issuance of the Coastal Development Permit for pipeline construction in the Canada de la Huerta area.

**P-20. Soil Tests at the Booster Pump Site**

To determine the potential for hazardous materials contamination, AAPLP shall conduct soil tests at the booster pump site prior to construction, in coordination with the County Environmental Health Services Division.

**P-21. Texaco's Emergency Access Road**

AAPLP shall not operate construction equipment on Texaco's emergency access road except to gain access to and from the construction site.

**P-22**

AAPLP shall coordinate with PAPCO/PANGL to stake their pipelines prior to any excavation work for the Gaviota Creek Pipeline Lowering and Relocation project. Also, AAPLP shall stake their existing 30" crude oil line prior to any excavation work. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** The EQAP monitor shall verify that the pipelines have been staked prior to construction. *(Mitigation Measure R-2) (adopted by the Planning Commission on September 6, 2000)*



**P-23**

For the Gaviota Creek Pipeline Lowering and Relocation project, if necessary, equipment needed within the creekbed should access the site from the west side so as not to cross the existing oil and gas lines. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify compliance in the field. *(Mitigation Measure R-3)(adopted by the Planning Commission on September 6, 2000)*

**P-24**

If any discolored or contaminated soil is encountered during construction of the Gaviota Creek Pipeline Lowering and Relocation project, AAPLP shall suspend work activities in the immediate area and report to Protection Services Division (PSD) and the Energy Division immediately. PSD shall inspect the site with AAPLP and shall determine the extent of the contamination. AAPLP shall proceed as directed by PSD and the Energy Division should contamination be found. Such direction may include preparation of a Site Assessment and Work Plan, and site remediation if deemed necessary. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify compliance in the field. *(Mitigation Measure R-4) (adopted by the Planning Commission on September 6, 2000)*

**P-25**

Portable catch basins shall be placed beneath cut points prior to and for the duration of cutting activities for the Gaviota Creek Pipeline Lowering and Relocation project. A vacuum truck shall be onsite until all pipeline drainage and repair operations are completed. **Plan Requirements:** These requirements shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify compliance in the field. *(Mitigation Measure R-5) (adopted by the Planning Commission on September 6, 2000)*

**P-26**

Following installation of the new pipeline segment at Gaviota Creek, use of the right-of-way shall be restricted to the pipeline easement. **MONITORING:** EQAP monitor to spot check in the field. *(adopted by the Planning Commission on September 6, 2000)*

**P-27**

AAPLP shall, at all times during construction of the new pipeline segment at Gaviota Creek, provide onsite fire protection (water tanker, shovels and fire extinguishers). **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure F-1) (adopted by the Planning Commission on September 6, 2000)*

**P-28**

For the Gaviota Creek Pipeline Lowering and Replacement project, a fire watch shall be maintained for at least one half hour after completion of cutting or welding operations to detect and extinguish smoldering fires if operations occur within 10 feet of combustibles. Hot work permits and fire watch operations shall be coordinated through County Fire. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to monitor in the field. *(Mitigation Measure F-2) (adopted by the Planning Commission on September 6, 2000)*

**P-29**

If welding trucks are used for the Gaviota Creek Pipeline Lowering and Replacement project, the vehicles shall be inspected and a permit issued at Fire Station 18. This would ensure that all hoses are adequate, a fire extinguisher is available, and a spark arrester is installed on any motor. **Plan Requirements:** AAPLP to acquire a permit from Station 18. **MONITORING:**



EQAP monitor to verify permit received prior to construction. *(Mitigation Measure F-3) (adopted by the Planning Commission on September 6, 2000)*

**P-30**

AAPLP shall notify the Fire Department at least 48 hours before construction may begin for the Gaviota Creek Pipeline Lowering and Replacement project. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify prior to construction. *(Mitigation Measure F-4) (adopted by the Planning Commission on September 6, 2000)*

**P-31**

AAPLP shall clear vegetation 10 feet on each side of the PAPCO/PANGL vault access road, staging areas, and along access portions of the AAPLP right-of-way to 6 inches prior to construction of the Gaviota Creek Pipeline Lowering and Replacement Project. Vegetation near the cultural site at the Road 28 gate shall be hand cut to avoid adverse impacts to the site. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to field check prior to construction. *(Mitigation Measure F-5) (adopted by the Planning Commission on September 6, 2000)*

**Q. FACILITY DESIGN**

**Q-1. Demonstration of Compliance**

The Final Development Plan shall demonstrate compliance with Santa Barbara County Coastal Zoning Ordinance, and other applicable County Ordinances to the extent required by this permit.

**Q-2. Energy Conservation Techniques**

Cost effective energy conservation techniques shall be incorporated into project design.

**Q-3. Common Carrier Pipeline**

AAPLP's facilities will be operated as a common carrier pipeline with access for use available on a nondiscriminatory basis. County retains the right to verify that the use of the facilities is conforming with County policies on consolidation and to impose additional reasonable permit conditions where necessary to assure these policies are being fulfilled to the extent feasible. The intent of this condition is to ensure the multi-company access of oil transportation facilities.

**Q-4. Compliance with County Petroleum Ordinance No. 2795**

AAPLP shall comply with all applicable policies in Section 25 of the Santa Barbara County Petroleum Ordinance No. 2795.

**Q-5. Power Transmission Lines**

AAPLP shall fund a pro-rata share of the costs to bury power transmission lines or of using environmentally and aesthetically preferred poles between the Goleta Substation and Gaviota in areas where the County and SCE determine it is not feasible to bury the lines. AAPLP's pro-rata share shall be based upon an equitable cost-sharing formula applied to all users of the grid power consistent with PUC rate setting and applicable regulations.







**POSTED**

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**ATTACHMENT D  
NOTICE OF EXEMPTION**

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SB County

Planning and Development

COUNTY OF SANTA BARBARA  
CLERK OF THE  
BOARD OF SUPERVISORS

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Matt Young, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**APNs:** 081-210-047, -027

**Case Nos.:** 15EMP-00000-00005

**Location:** 13600 Calle Real, Goleta

**Project Title:** Refugio Oil Spill Incident Emergency Permit

**Project Applicant:** Plains All American Pipeline Company

**The project description is as follows:**

This project description includes a description of the areas impacted by the oil spill, details of completed response activities, and an overview of ongoing and planned future activities to be covered by this emergency permit. This emergency permit generally describes the whole of all emergency response activities in the jurisdictions of Santa Barbara County, the City of Goleta and the California Coastal Commission. However, this permit only authorizes those portions of the response work that have, and would continue to occur within Santa Barbara County's jurisdiction. Separate Emergency Permits may be issued by the City of Goleta and California Coastal Commission authorizing those portions of the response work located in their respective jurisdictions.

**Impact Areas**

Emergency response activities were conducted in five impact areas (sections) in the vicinity of the spill site, along regional beaches, and offshore in the Santa Barbara channel. The five sections are shown in Attachment B.

**Section 1.** Section 1 refers to the Release Site Excavation located on the north side of California Highway 101 (Highway 101) within the privately owned property boundaries of assessor parcel number (APN) 081-210-047. The excavation area encompasses Pipeline 901, as well as the berm located south of Pipeline 901.



**Section 2.** Section 2 refers to the Caltrans right-of-way encompassing the south and north bound lanes and shoulders of Highway 101 where crude oil passed through a series of stormwater culverts. Section 2 includes the drainage conduit termination point as well as a concrete drainage collection area. The concrete drainage collection area is comprised of three separate concrete swales, as well as the inlet for the drainage pipe that runs under Highway 101.

**Section 3.** Section 3 refers to the Union Pacific Rail Road (UPRR) tracks and right-of-way south of Highway 101 where oil flowed through stormwater culverts and under the railroad tracks. Section 3 includes the drainage pipe termination point and the inlet for the culvert pipe that runs under the UPRR track. The culvert measures approximately 20 linear feet from the inlet on the north of the tracks to the termination point on the south of the tracks

**Section 4.** Section 4 refers to the Bluff area that extends from the termination point of the culvert that runs under the UPRR track south to the edge of the cliff face along the Pacific Ocean. The Bluff excavation Area is generally longer than it is wide as it follows the path of historical drainage. Although the historic drainage path meanders, the length of the impacted area is approximately 300 feet. The width of the impacted area varies and is approximately 35 feet wide near the culvert (north) and narrowing down to a range of 10 to 15 feet in width near the cliff (south).

**Section 5.** Section 5 refers to the Cliff Face area that is located between the southernmost edge of the Bluff (Lip) and the high tide line at the base of the cliff. The Cliff Face is a near vertical bedrock surface and a soil and rock chute down-slope (rockslide) to the high-tide cobble zone at the base of the cliff. During the release, oil flowed along a narrow swale (Section 4) and then off the top of the sea cliff, along a near vertical bedrock surface, and along a soil and rock chute downslope to a cobble zone at the base of the cliff. Some oil seepage is continuing from bedrock near the base of the cliff. Although excavation of soil was performed in Section 4, due to safety considerations, an area of impacted soil and rock was left in place at the top of the cliff ("lip" area). Further evaluation of a means to remove impacted materials from this "lip" and areas located downslope to the base of the cliff is on-going.

**Refugio State Beach, El Capitan State Beach, and other beaches.** Assessment and response activities have generally occurred on stretches of beach between Gaviota and Oxnard. These stretches of beach were divided into numerous Divisions that are shown in Attachment A, which also include Refugio and El Capitan State Beaches. Limited response operations were also conducted in Manhattan Beach. A 1,000 foot temporary flight restriction within a five mile radius of Refugio Beach is in effect through July 30, 2015. An internal incident flight restriction remains in effect within ½ mile, or an altitude of 500ft, as well as no hovering allowed in the vicinity of Coal Oil Point to protect Snowy Plover habitat.

**Santa Barbara Channel (on water).** On-water assessment and cleanup activities occurred in approximately 30 miles of marine waters off-shore Santa Barbara County. A 23 mile by six mile area offshore has been closed to fishing. California Fish and Wildlife Patrol Boat remains on scene to enforce fishery closure. Sampling for finfish and shellfish impacts are ongoing, in order to determine timeframes for reopening the closed fishery. Results are currently pending.



### Ongoing Activities

A description of activities in-progress is provided below.

To the extent practicable, no stockpiling of contaminated materials has occurred or is currently occurring. All contaminated materials are placed directly into plastic bags and subsequently transferred to roll-off bins or loaded directly into roll-off bins for staging prior to oil quantification, waste characterization, and disposal/recycling.

- **Sections 1 through 3 (Release Site and Highway Culverts)**
  - According to Plains Pipeline, LP, the Release Site has been excavated and has generated approximately 3,500 cubic yards of impacted soils, 520 barrels of wash water, and 60 cubic yards of oily debris.
  - Activities include collecting (vacuuming) crude from the Release Site, excavation of impacted soil for removal to roll-off bins, pipeline evaluation and repair, cleaning of the culvert and impacted areas leading down to the ocean, soil removal confirmation sampling, and implementation of storm water pollution control measures.
  - Excavated soils are loaded directly into roll-off bins and staged at a designated location for sampling and analysis prior to disposal. Once waste characterization analysis has been received and reviewed, contents of the roll-off bins are transported to an approved, designated disposal or treatment facility.
  - Equipment utilized in this area includes roll-off bins, track hoe excavators, hydro-excavator, front end loader, crane, water trucks, roll-off transportation trucks, welding and heavy-duty trucks, sheep foot roller compactors, other heavy equipment, baker tanks and vacuum trucks.
  - Staging/storage utilized in this area is located adjacent to the Release Site and at the Freeport-McMoRan Gaviota Plant and the Exxon/Mobil Las Flores Facility.
- **Section 4 (Bluff)**
  - Clean-up excavation has generated approximately 1,100 cubic yards of impacted soils and 195 cubic yards of vegetation/oily debris.
  - Activities include excavation of impacted soil for removal to roll-off bins, cleaning of the culvert and impacted areas leading down to the ocean, soil removal confirmation sampling, and implementation of stormwater pollution control measures.



- Equipment utilized in this area includes roll-off bins, small track hoe excavators, skid steer loaders, crane, water trucks, roll-off transportation trucks, heavy-duty trucks, super suckers, vibratory compaction equipment, and other heavy equipment.
- Staging/storage utilized in this area is located along Caltrans right-of-way (ROW) next to Highway 101, the Release Site, and at the Exxon Mobil Las Flores facility.
- Section 5 (Cliff Face)
  - Activities associated with this Section are pending approval of a specific remediation plan. A safety evaluation and a feasibility analysis of potential remedial activities have been completed. No equipment has been utilized in this area.
  - A plan for Section 5 has been submitted to the Refugio Incident Unified Command for review. It appears that the oily materials can be removed from the steep slope and lip using a specialized excavator called a spider excavator. The excavated materials will be transferred via helicopter to a staging area near Refugio Beach. With regard to endpoints, the objective of the work is to remove impacted material to the extent practical without jeopardizing safety. It appears that the stained rock surfaces (on cliff face) that cannot be safely excavated can be pressure washed.
  - Typical equipment needs include a specialized spider hoe excavator, helicopter, super sacks for the removal of impacted materials, crane in Section 4, heavy trucks, power washing equipment, generator, and sorbent booms
- Refugio State Beach, El Capitan State Beach, and other beaches
  - Clean-up activities as of June 18, 2015 have produced approximately 960 cubic yards of sand and 1,525 cubic yards of oily vegetation/debris
  - Activities include pick-up and removal of impacted materials, cleaning of cobbles and hardscapes, assessment and collection of impacted wildlife, and assessment of environmental and cultural resources
  - Equipment utilized in this area includes roll-off bins for collection of impacted materials, hand labor with buckets, shovels, and garbage bags, and all-terrain vehicles (ATVs). No heavy equipment is involved with beach clean-up
  - Staging/storage and decontamination sites utilized in this area are located



within the beach parking lots

- **Santa Barbara Coastal Zone (on water)**
  - The skimming process has generated approximately 1,225 bbls (from approximately 51,450 gallons) of oily water and 275 cubic yards of oily debris
  - Activities include skimming crude from the water surface and subsurface, collecting free floating crude near the shore, boom deployment at protected estuaries and along the shoreline
  - Equipment utilized in this area includes several boats and barges, helicopter (for aerial observation), boom, shoreline boom, boom deployment equipment, skimmers and decontamination equipment
  - Staging/storage area: T&T Yard and Port Hueneme
  - Decontamination site: T&T Yard, Ventura Harbor, and Port Hueneme

- **Pipeline Repair Activities**

This Emergency Permit is for excavation and repair work associated with the pipeline, but does not authorize the applicant to resume pipeline operations. The United States Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) oversaw all repair operations. All excavations were surveyed to identify any existing or potential biological, cultural, and/or historic resources prior to construction. Monitoring, by the appropriate, qualified individuals occurred as needed.

- **Anomaly Repairs.** Pipeline anomaly investigation and repairs are in-progress at four (4) separate locations. The investigation and repairs occurred subsequent to the incident. To expose the affected segment of pipeline, a predetermined area was excavated. Once the anomaly location was exposed and examined, repairs were made to the pipeline. Repair included use of Kleen Blast 16-30 medium sand (environmentally safe, clean sand) to strip the original coating from the pipeline before applying either a welded, metal sleeve or a sleeve made of a composite material and epoxy, which is wrapped around the damaged area. Following investigation and repair of the anomaly, the pipeline was reburied using the excavated soils. A backhoe equipped with a sheep foot's roller compactor was used to compact the backfilled area to its pre-project conditions. All repairs have been made and backfill operations are in-progress.
  - **Dig #1**
    - located at 34.46301710, -120.09436323
    - Approximate dimensions: 8' deep, 12' X 12'



- Approximately 42 cubic yards excavated
  - Dig #2
    - Located at 34.47380326, -120.15840636
    - Approximate dimensions: 8' deep, 12' X 8'
    - Approximately 28 cubic yards excavated
  - Dig #3
    - Located at 34.47372115, -120.15891969
    - Approximate dimensions: 8' deep, 12' X 8'
    - Approximately 28 cubic yards excavated
  - Dig #4
    - Located at 34.47332752, -120.18062438
    - Approximate dimensions: 9' deep, 16' X 10'
    - Approximately 53 cubic yards excavated.
- Release Site Repairs and Purging Remaining Liquids from Line 901

In addition to the activities described above related to the evaluation and repair of Line 901, which included replacement (approximately 82 linear feet) of the affected segment of pipe at the Release Site, it was necessary to excavate two (2) locations for the installation of a vent and pressure gauge for the purposes of purging remaining crude oil from Line 901 into Line 903 at Plains' Gaviota facility.

The linear high point of Line 901 was excavated to vent the pipeline during purge operations. Excavation measuring approximately 8' deep, 12' X 8' (Approximately 28 cubic yards of soil) occurred at approximate location latitude 34.467114, longitude -120.081664. The high point vent required sandblasting, using Kleen Blast 16-30 medium sand (environmentally safe, clean sand), to strip the original coating from the pipeline. Subsequent to completion of line purging activity, the pipeline was recoated with DENSO Epoxy and backfilled using the excavated soils. A backhoe equipped with a sheep foot's roller compactor is used to compact the backfilled area to its pre-project conditions.

The gate valve location was exposed to install a pressure gauge to monitor line pressure during line purging activity. Excavation measuring approximately 8' deep, 12' X 8' (Approximately 28 cubic yards of soil) occurred at approximate location latitude 34.466854, longitude - 120.069218. Subsequent to completion of line purging activity, recoating and backfilling was accomplished as described above.

Temporary piping was installed at Plains' Las Flores facility for the purpose of injecting nitrogen (and water) into the line to displace the remaining crude oil from Line 901. Two temporary electric pumps were installed at Plains' Gaviota facility to pump the remaining crude oil from Line 901 into Line 903.

- Decontamination and Staging Areas
  - Decontamination Areas
    - Ventura Harbor and Port Hueneme - Boat Decontamination: Liquid



waste water consists of decontamination water and hydrotest water stored in Baker Tanks. Hydrotest waste water is currently pending profile acceptance at DeMenno Kerdoon located in Compton, California. An estimated 60 truckloads of waste water will be shipped south via Highway 101 into Los Angeles County. An estimated three truckloads of oil will be shipped to Plains Pentland Station north along Highway 101 and then follows Interstate 166 east to Bakersfield, California

- **Beaches - Personnel Protective Equipment and Associated Equipment Decontamination:** Oily impacted materials collected from beaches are staged at Refugio and El Capitan State Beaches. Bins are loaded onto trucks and shipped to Clean Harbors (located in Buttonwillow, California). The transportation route is north along Highway 101 and then follows Interstate 166 east. An estimated 98 truckloads will be shipped to Clean Harbors.
- **Solid Waste Bins**
  - **Section 1: Impacted soils from the Release Site** are loaded onto trucks, and transferred for temporary staging and weighing at the Exxon Mobil Las Flores facility. Soils, once sampled for oil quantification, are ultimately shipped to Soil Safe Technologies (located in Adelanto, California) for soil recycling. The proper disposal of oil and materials that were in contact with oil during the removal are being managed in accordance with the Waste Management Plan as approved by the Unified Command dated May 21, 2015. In addition, these materials are managed in accordance local, state and federal regulations as well as the California Department of Fish and Wildlife (DFW) requirements. The primary staging areas for the soil roll-off bins are the Freeport-McMoRan facility in Goleta and the Exxon Mobil Las Flores facility. The truck route to the disposal facility is southbound along Highway 101 and east along the Interstate 126 once they enter Ventura County. An estimated 430 truckloads will be shipped to Soil Safe Technologies.
  - **Highway 101 at State Parks impact areas:** Storage and staging areas for equipment and vehicles along Highway 101 have been kept to the minimum extent feasible in coordination with the California Department of Transportation (Caltrans). Equipment includes a crane, roll-off bin(s), excavating equipment, and Oil Spill Response contractor vehicles. Pull-out along Highway 101 (at approximately Teagas Beach) contains four roll-off bins, excavating equipment, and Oil Spill Response contractor vehicles
  - Freeport McMoRan facility in Goleta is storing soil roll-off bins from Release Site and empty roll-off bins staged for future use
  - Exxon Mobil Las Flores facility is storing soil roll-off bins from



**Release Site and culvert**

- T&T Yard is storing oily debris bins for inventory and inspection prior to shipping to Clean Harbors
- Aboveground Storage Tanks
  - T&T Yard, Ventura: Liquid waste water consisting of decontamination water, decant water, and oily water stored in Baker Tanks located inside the T&T Yard. Liquids from decontamination and vessel recovery conducted at Ventura Harbor are also consolidated into Baker Tanks using vacuum trucks transferring liquids to T&T yard
  - Freeport McMoRan facility in Goleta: Liquid waste from decontamination of culvert and recovered oil is contained in three tanks. Liquid waste water from purging Line 901 is stored in eight tanks
- Sampling and Air Monitoring Activities
  - Environmental Sampling (Water/soil/sediment): On May 20, 2015, Center for Toxicology and Environmental Health, LLC (CTEH®) initiated environmental sampling in support of response operations for the Refugio Incident near Gaviota, California. This sampling has been conducted under a Unified Command-approved sampling plan. CTEH® is conducting water sampling along the coastline at locations east and west of the incident site. Collected water samples have been submitted to an accredited laboratory for analysis of volatile organic compounds (VOCs), metals, total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAHs), and glutaraldehyde. Water sampling results were compared to surface water screening values that were compiled and approved by representatives of the Santa Barbara County Public Health Department and CTEH®, a contractor for Plains
  - Air Monitoring/Analytical Air Sampling: CTEH® conducted real-time air monitoring along the coastline at publically-accessible locations. Real-time air monitoring refers to the use of direct-reading instruments that report nearly instantaneous measurements of an airborne substance in real-time. Real-time air monitoring was performed for volatile organic compounds (VOCs), benzene, hexane, toluene, atmospheric flammability as percent of the lower explosive limit (LEL), and hydrogen sulfide (H<sub>2</sub>S). Notably, H<sub>2</sub>S was not a primary concern, as the oil released did not contain high amounts of H<sub>2</sub>S. Data was collected using handheld instruments in the community. CTEH® began collecting analytical air samples on May 20, 2015. Laboratory analysis of analytical air samples provides chemical-specific results at lower ~~chemical detection limits than real-time instrumentation.~~ Analytical air samples were positioned to collect air from ten fixed locations along the



coastline over 24-hour periods. Analytical air samples were submitted to an accredited laboratory for analysis of VOCs, H<sub>2</sub>S, and glutaraldehyde. Human health risk-based screening levels for a suite of VOCs, including benzene, ethylbenzene, toluene, and xylene (collectively known as BTEX) were used to evaluate the analytical air sample results. These screening levels were developed by the U.S. Environmental Protection Agency (USEPA) during previous oil spill events to be protective of human health for an individual exposed for 24 hours a day, seven days a week, for up to one year.

- **Confirmation soil sampling:** As part of the Refugio Incident response efforts, CTEH® began collecting confirmation soils samples per the Unified Command-approved Confirmation Soil Sampling and Analysis Plan. The goal of the confirmation soil sampling is to ensure the removal of as much impacted soil as practical to restore conditions to background. Samples are being collected and analyzed for TPHs, PAHs and metals.
- **Fingerprinting:** As part of response efforts to the Refugio Incident, CTEH® began collecting product samples for fingerprinting analysis on May 20, 2015. Samples collected from May 20, 2015, through June 1, 2015, were collected under the Unified Command (UC) approved CTEH® Emergency Response Environmental Sampling and Analysis Plan. After June 2, 2015, product samples were collected under the UC-approved Seep Oil/Sheen Sampling Plan and the UC-approved Forensic Analysis Sampling and Analysis Plan.

### Ongoing and Future Activities

The Refugio Incident Unified Command continues to oversee operations in Santa Barbara County. Active field operations are ongoing in three remaining Divisions (I, J and K), which encompass 8.3 miles of shoreline between Gaviota Creek and El Capitan State Beach Park.

- **Sections 1 and 4: Release Site and Bluff**

An Excavation Backfill and Site Restoration Plan has been submitted to the Refugio Incident Unified Command for review. This plan outlines backfilling the excavations and restoring the top 2-3' of the excavation to the individual landowners needs. A detailed Final Design Plan will be submitted to Santa Barbara County Planning and Development personnel for local permitting requirements. Upon approval, the sites will be restored. Typical equipment needs include track hoe excavators, skid steer loaders, water trucks, roll-off transportation trucks, heavy-duty trucks, crane (Section 4 only), vibratory compaction equipment, and other heavy equipment.

Once backfilling activities have been completed in the Section 4, the excavation will be graded to produce a natural drainage swale. This swale will be designed by the project engineer to transport stormwater from the drainage culvert (north) to the Pacific Ocean



(south). The material utilized on top of the backfill will be chosen based on aesthetic appearance and capacity to withstand stormwater run-off originating from areas north of the excavation area.

The current proposed restoration approach is the installation of a high density poly-ethylene (HDPE) drainage pipe extending partially down the bluff, and rock rip rap placed in erosion prone areas. Once backfilled, a shallow trench will be dug into the backfill for the HDPE pipe. A typical Caltrans headwall will be installed outside of the Union Pacific Railroad (UPRR) right of way, where the HDPE pipe will originate. The HDPE pipe will be installed in the previously excavated trench and terminate before reaching the cliff face. A geo-textile material will be placed atop the backfill and covered with an angular rock rip rap. Rock rip rap lip will also be placed and compacted at the outfall of the HDPE pipe as armament for the bluff per specifications to be made by a geotechnical engineer. The rock rip rap across the former excavation area will be covered with native soils or topsoil to the final grade. The soil will be re-vegetated with native seed and transplants per an approved restoration plan. Follow up monitoring will be conducted on a regular basis to ensure that seeds/plants survive and the need for irrigation and/or reseeding/replanting will be evaluated.

- **Section 5: Cliff Face**

A plan for Section 5 has been submitted to the Refugio Incident Unified Command for review. It appears that the oily materials can be removed from the steep slope and lip using a specialized excavator called a spider excavator. The excavated materials will be transferred via helicopter to a staging area near Refugio Beach. With regard to endpoints, the objective of the work is to remove impacted material to the extent practical without jeopardizing safety. It appears that the stained rock surfaces (on cliff face) that cannot be safely excavated can be pressure washed. Typical equipment needs include a specialized spider hoe excavator, helicopter, super sacks for the removal of impacted materials, crane in Section 4, heavy trucks, power washing equipment, generator, and sorbent booms.

All work under this Emergency Permit will be conducted in compliance with conditions of approval in the Plains All American Pipeline Final Development Plan (Case No. 88-DPF-033). The below conditions apply directly to aspects of the emergency response related work but all conditions from 88-DPF-033 also apply and are attached hereto. Access to the project areas will continue to be provided off of Highway 101 and Calle Real Road, and interior access roads. The property consists of 298.36-acres on parcels zoned AG-II-320 and REC, shown as Assessor's Parcel Numbers 081-210-047 and -027, respectively, located at 13600 Calle Real in the Goleta Area, 3rd Supervisorial District.

Name of Public Agency Approving Project:

County of Santa Barbara

Name of Person or Agency Carrying Out Project:

James C. Buchanan; Plains GP, LLC



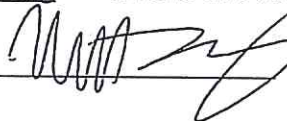
**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:** 15269(c) – Emergency Projects, specific actions necessary to prevent or mitigate an emergency.

**Reasons to support exemption findings:** This section allows for emergency actions necessary to prevent or mitigate an emergency, in this case, control and contain oil seepage in order to minimize impacts to sensitive biological resources and surface/groundwater quality.

Lead Agency Contact Person: Matt Young Phone #: 568-2513

Department/Division Representative:  Date: 7/8/15

Acceptance Date: \_\_\_\_\_

distribution: Hearing Support Staff

Project file (when P&D permit is required)

Date Filed by County Clerk: \_\_\_\_\_



