



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning and  
Development  
**Department No.:** 053  
**For Agenda Of:** 10/20/15  
**Placement:** Set hearing for 11/3/15  
(departmental)  
**Estimated Time:** 30 minutes  
**Continued Item:** No  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department: Planning and Development  
Director: Glenn Russell, Ph.D., Director (568-2084)  
Contact Info: Errin Briggs, Energy Specialist (568-2047)  
Energy and Minerals Division  
**SUBJECT: E&B Natural Resources Gas Pipeline and Consistency Rezone, Cuyama Valley,  
First Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form:

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors set a Departmental hearing for November 3, 2015 to consider the recommendation of the Planning Commission to approve the E&B Natural Resources Gas Pipeline and Consistency Rezone Project, Case Nos. 14DVP-00000-00018 and 15RZN-00000-00007.

Your Board's motion on November 3, 2015 should include the following:

- a) Make the required findings for the project (Case Nos. 14DVP-00000-00018 and 15RZN-00000-00007) specified in Attachment A of the Planning Commission action letter dated September 9, 2015 (included herein as Exhibit 2) including the California of Environmental Quality Act findings;
- b) Adopt the Mitigated Negative Declaration (15NGD-00000-00007), included as Attachment C of Exhibit 1 of this Board Letter, and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Approve the project, Case No. 14DVP-00000-00018, subject to the conditions of approval included in Attachment B of the Planning Commission action letter dated September 9, 2015 (included herein as Exhibit 2) as revised in this Board Letter; and

- d) Adopt the Ordinance for a Zoning Map Amendment for Assessor's Parcel Number 147-030-025, amending the Inland Zoning Map for the Cuyama Valley Rural Region from U, (Ordinance 661), to AG-II-40 (Land Use and Development Code), included herein as Exhibit 4 of this Board Letter.

The project site is identified as Assessor's Parcel Number 147-030-025 located approximately 0.7-miles east of the intersection of Aliso Canyon Road and State Highway 166 in the Cuyama Valley area, First Supervisorial District.

**Summary Text:**

E&B Natural Resources is the only oil & gas operator in the Cuyama Valley and produces oil & gas from both the Russell Ranch and South Cuyama oil fields. The proposed project would enable E&B to restore a historic practice of transporting natural gas production from its Russell Ranch facility to its South Cuyama Gas Plant for processing and sale. The project includes the construction of 1,125 feet of new natural gas pipeline to be located within the existing Cuyama Pumping Station facility. The new pipeline would connect two existing, buried pipelines on each side of the facility to form an inter-field pipeline connection between the Russell Ranch Field and the South Cuyama Gas Plant spanning approximately 8 miles.

The Cuyama Pumping Station facility site is located adjacent to Highway 166 northwest of the town of New Cuyama on a 10.47-acre parcel (APN 147-030-025). Currently, the parcel is being used as an oil shipping facility and contains associated equipment, including a truck loading rack and oil and water storage tanks. The parcel is currently zoned U (Unlimited Agriculture) under the outdated Ordinance 661. The proposed Zoning Map Amendment (15RZN-00000-00007) would amend the County Zoning Map by redesignating Assessor's Parcel Number 147-030-025 from Unlimited Agriculture (U), 10-acre minimum lot size under Ordinance 661, to Agriculture II, 40-acre minimum lot size (AG-II-40), under the County Land Use and Development Code. The proposed zoning amendment would assist in the implementation of a uniform and up-to-date zoning ordinance throughout the inland area of the County, and is required in conjunction with all discretionary projects on parcels zoned under Ordinance 661.

**Pipeline Regulatory Jurisdiction**

Because the subject pipeline is under the jurisdiction of the U.S. Department of Transportation Pipeline Hazardous Materials Safety Administration (PHMSA), the County is preempted from monitoring the condition of the pipeline or ordering necessary repairs and therefore, the County's Petroleum Unit does not have authority under Chapter 25 of the County Code. For clarification, the following paragraph from page 8 of the Planning Commission staff report included herein as Exhibit 1 is revised.

Several regulatory bodies share regulatory authority over the pipeline to ensure its safe condition and operation, including the Santa Barbara County Planning and Development Department, the County Petroleum Unit, and the U.S. Department of Transportation Pipeline Hazardous Materials Safety Administration (PHMSA). PHMSA has regulatory authority over the pipeline pursuant to federal laws, including the Natural Gas Pipeline Safety Act of 1968. The County Planning and Development Department has monitoring authority over the pipeline to ensure compliance with the project description condition included in the project conditions of approval in Attachment B, which the County evaluated under the California Environmental Quality Act (CEQA) and serves to address public safety and environmental impacts. Finally, the project

would be subject to safety monitoring and oversight by the County System Safety Reliability Review Committee (SSRRC) to the extent that it affects operations at the South Cuyama Gas Plant.

*Addition of Mitigation Measure as Project Condition of Approval*

The following mitigation measure was included with the project's proposed final Mitigated Negative Declaration (MND) considered by the Planning Commission but was omitted from the conditions of approval included with the Planning Commission staff report. Staff recommends the mitigation measure now be added to the project as a condition of approval to ensure all mitigation measures from the proposed final MND are carried forward as conditions in the project, if approved by your Board.

**Spec MM Bio-3 Construction Area Delineation.** If any project activities are to occur outside of the Cuyama Pump Station facility fence line, project site boundaries (i.e. limits of ROW and staging areas) shall be clearly delineated by stakes, flagging, rope, and/or cord to minimize the possibility of inadvertent degradation or loss of adjacent habitat during construction and grading activities. Project activities shall be restricted to the project site. **PLAN REQUIREMENTS:** This condition shall be printed on all plans associated with Zoning Clearance. **TIMING:** P&D shall review the plans with this requirement prior to issuance of a Zoning Clearance for this Development Plan. Project boundaries shall be delineated prior to any work activity and shall be maintained until construction has been completed. **MONITORING:** The project biologist shall inspect the site to ensure the required fencing is installed consistent with approved plans.

**Background:**

At the Planning Commission hearing on September 9, 2015, the Commission voted unanimously to recommend approval of the proposed project to the Board of Supervisors. Staff and the Planning Commission's recommendations for approval are based upon the project's consistency with applicable ordinance requirements and Comprehensive Plan policies, as well as the ability to make the required findings. The Planning Commission hearing acted as the first reading of the proposed rezone Ordinance. The Planning Commission's August 20, 2015 staff report is included as Exhibit 1 of this Board Letter, the September 9, 2015 action letter is included as Exhibit 2, and the Planning Commission Resolution which transmits their recommendation for adoption of the Rezone is included as Exhibit 3 of this Board Letter.

**Fiscal Analysis:**

The estimated total cost to process this project through completion is \$30,000. These fees are budgeted under the Permitting Budget Program on page D-289 of the 2015/2016 fiscal year budget. All costs incurred from this permitting action are borne completely by the applicant.

**Special Instructions:**

The Clerk of the Board shall publish a legal notice at least 10 calendar days prior to the hearing on November 3, 2015. The notice shall appear in the Santa Maria Times. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the notice are included with this Board Letter. A minute order of the hearing and copy of the notice and proof of publication shall be returned to Planning and Development, attention: David Villalobos.

**Exhibits:**

1. Planning Commission Staff Report dated August 20, 2015
2. Planning Commission Action Letter dated September 9, 2015
3. Planning Commission Rezone Transmittal Resolution
4. Rezone Ordinance

**Authored by:**

Errin Briggs, Energy Specialist, 805-568-2047  
Energy and Minerals Division, Planning and Development Department