



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: July 18, 2023 Set  
Hearing for August 22,  
2023  
Placement: Set Hearing  
Continued Item: No  
If Yes, date from: N/A  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Lisa Plowman, Director, Planning & Development  
Director(s) (805) 568-2086  
Contact Info: John Zorovich, Deputy Director, Energy & Minerals Division  
(805) 568-2519

**SUBJECT:** **Set Hearing for Applicant Appeal of the Planning Commission Denial of the Existing Oil Lines 901/903 Valve Upgrade Project, Case Nos. 23APL-00022; of 21AMD-00000-00009 & 22CDP-00000-00048, Third and Fourth Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

On July 18, 2023, set a hearing for August 22, 2023 to consider the Applicant appeal of the Planning Commission's April 26, 2023 denial of the Lines 901/903 Valve Upgrade Project Amendment and Coastal Development Permit, Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048.

On August 22, 2023, the Board could grant the appeal and approve the Project by taking the following actions:

- a) Grant the appeal, Case No. 23APL-00022;
- b) Make the required findings for approval of the Project, Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048, including CEQA findings (Attachment 2);
- c) After considering the environmental review documents included as Attachment C of the February 2, 2023 Planning Commission Staff Report (Attachment 1 to this Board Letter) [Addendum dated March 1, 2023 together with previously adopted EIR/EIS and the CEQA exemption Sections 15301(b) [Existing Facilities], 15303(d) [New Construction or Conversion of Small Structures], 15311 [Accessory Structures], and CEQA Statutes Section 15284 [Pipelines], determine that as

reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project; and

- d) Grant *de novo* approval of the Project, Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048, subject to the conditions of approval (Attachment 2).

Alternatively, the Board could deny the appeal and deny the project by taking the following actions:

- a) Deny the appeal, Case No. 23APL-00022;
- b) Make the required findings for denial of the appeal and project, Case Nos. 23APL-00022, 21AMD-00000-00009 and 22CDP-00000-00048 (Attachment 3);
- c) Determine that denial of the appeal and project is exempt from CEQA pursuant to CEQA Guideline Section 15270(a), included as Attachment A of the Planning Commission Action Letter dated May 3, 2023 (included herein as Attachment 2 to this Board Letter) including CEQA findings.
- d) Deny the Project, Case Nos. 23APL-00000-00022, 21AMD-00000-00009 and 22CDP-00000-00048.

### **Summary Text:**

#### **Project Description**

The Proposed Project is an amendment to the previously approved Major Conditional Use Permit, Case No. 83-CP-97z and Development Plan 85-DP-66cz to allow for the installation of 16 valves along the existing Line 901-903 pipeline system at various locations designed to isolate portions of the line in order to minimize the volume of a potential spill. The proposed valves would be located along the pipelines on various parcels spanning from the Gaviota Coast to the Los Padres National Forest within Santa Barbara County, on 16 different properties, zoned AG-II-320, AG-II-100 or AG-I-40. A detailed project description is included as Condition No. 1 in Attachment B of the Planning Commission Staff Report dated February 2, 2023, included herein as Attachment 2.

The proposed Project involves 14 parcels in the Third and Fourth Supervisorial Districts:

- The project proposes to install 16 valves along the existing Line 901-903 pipeline system at various locations in order to comply with the directives of Assembly Bill 864: Assessor Parcel Numbers (APNs) 081-230-021; 081-210-047; 081-150-033; 081-150-028; 081-140-025; 083-500-029; 083-430-035; 099-400-069; 099-040-019; 099-040-009; 133-070-015; 131-090-089; 131-190-004; and 131-030-021.

#### **Background**

On February 18, 1986 Santa Barbara County approved the Celeron/All American Pipeline Project under a Major Conditional Use Permit (83-CP-97z) and a Final Development Plan (85-DPF-066cz), which were subsequently revised in 1988 as 88-DPF-033 (RV01)z and 88-CP-60 (RV01). The approximately 122-mile pipeline system transports Outer Continental Shelf from the Santa Barbara and Santa Maria Basins to a destination point in Pentlans, Kern County California. The pipeline system has been shut-in since Line 901 ruptured on May 19, 2015.

To prevent similar incidents as the Refugio Oil Spill from occurring on intrastate hazardous liquid pipelines, Governor Jerry Brown signed into law pipeline safety Assembly Bill 864 (“AB 864”). Enacted by the California Office of State Fire Marshal (“OSFM”), AB 864 requires pipeline operators to install Best Available Technology (“BAT”) on all existing pipelines that have the potential to impact sensitive

resources in the Coastal Zone by April 1, 2023 to reduce the volume of a potential release. In response to the bill, the operator of Lines 901 & 903 performed a Risk Analysis to identify measures that would reduce the amount of oil released in a potential future oil spill. The Proposed Project includes the installation of 16 valves and would implement the Risk Analysis's conclusions which were reviewed and accepted by the OSFM.

On August 22, 2022, the Zoning Administrator approved the Plains Pipeline Valve Upgrade Project (herein after Proposed Project). Three timely appeals of the Zoning Administrator's decision were filed on September 1, 2022 by Tautrim Revocable Trust, Gaviota Coast Conservancy and GreyFox, LLC. On April 26, 2023, the Planning Commission upheld the appeals and denied the Lines 901/903 Valve Upgrade Project by a vote of 3 to 2. In support of their denial, the Planning Commission determined the proposed project to not be compatible with the established physical scale of the area, and that it will be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The Commission's action is detailed in the Action Letter May 3, 2023 and included herein as Attachment 2.

On May 8, 2023, an appeal of the Planning Commission denial was filed by the Applicant, Pacific Pipeline Company (23APL-00022). The appeal letter is included herein as Attachment 4. A subsequent Board Letter will detail the applicant's individual appeal issues and include staff responses.

**Special Instructions:**

The Planning and Development Department will satisfy all noticing requirements.

**Attachments:**

1. Pacific Pipeline Company Appeal Application dated May 8, 2023
2. Link to Planning Commission Staff Report, dated February 2, 2023
3. Planning Commission Action Letter, dated May 3, 2023
4. Planning Commission March 1, 2023 Public Comment Letters
5. Planning Commission April 26, 2023 Public Comment Letters
6. Link to EIR
7. Zoning Administrator Staff Report, dated July 7, 2022
8. Zoning Administrator Action Letter, dated August 24, 2022
9. Zoning Administrator August 22, 2023 Public Comment Letters
10. Valve Locations Map

**Authored by:**

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Energy, Minerals & Compliance Division, Planning and Development Department