



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 &
Development
Department No.: 053
For Agenda Of: 11/6/12
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn Russell, Ph.D. Director, Planning and Development
Director(s) (805) 568-2085
Contact Info: Douglas K. Anthony, Deputy Director, Energy
(805) 568-2046
**SUBJECT: ExxonMobil Relocation of Office Trailers Emergency Permit Case Number
EMP-00000-00005, Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Receive and file this report on Emergency Permit 12EMP-00000-00005, issued September 6, 2012, which authorized the temporary relocation of four trailers (three trailers used as offices and one trailer used as a laboratory) outside the blast zone of the POPCO Gas Processing Facility and the ExxonMobil Oil Treatment Plant (Assessor Parcel Number 081-220-014) in the Las Flores Canyon at 12050 Calle Real, near U.S. Highway 101, Third Supervisorial District.

Summary Text:

P&D issued an Emergency Permit for relocation of four existing trailers that were inadvertently located in the blast zone of the POPCO Gas Processing Facility and the ExxonMobil Oil Treatment Plant. The blast zone lies both within the Inland and Coastal zones. The trailers were not "blast-resistant," which necessitated removal from the existing Inland site and relocation to a site outside the blast zone and within the Coastal Zone. A follow-up Coastal Development Permit (CDP) for their temporary relocation is currently being processed. Additionally, a Land Use Permit (LUP) was issued on September 28, 2012 for the installation of five new "blast-resistant" modular office buildings to replace the relocated trailers at the same Inland location within the blast zone. A condition of the CDP for the temporary relocation of the trailers is that once the modular office buildings are in place at the Inland site, the relocated trailers would be removed from the Coastal Zone site.

Background

The relocated trailers were permitted as “temporary” construction trailers for past ExxonMobil projects. Removal of the trailers was required within two years of completion of construction work; however, this removal did not occur. ExxonMobil subsequently used the trailers in an unpermitted capacity as office space for employees and contractors, and as a laboratory to analyze and test onshore and offshore product streams.

In May of 2012, ExxonMobil submitted a Substantial Conformity Determination (SCD) and LUP application to remove the trailers and install five new modular office buildings in the same footprint. During preparation of the SCD, staff requested information on the blast-resistant standards of the new modular office buildings. In response, ExxonMobil conducted a Blast Study that revealed the location is within the blast zone of the facility and that the existing temporary trailers did not meet the blast-resistant standards. ExxonMobil immediately requested relocation of the trailers from that area.

Allowing the immediate temporary relocation of the trailers under an Emergency Permit reduced safety risks to ExxonMobil’s employees and contractors by providing a safer working location while the required CDP is processed. Postponing the work until the required CDP is processed (a process that could take up to four months) would have extended the risk to ExxonMobil’s employees and contractors. Therefore, this situation constituted an emergency in accordance with the applicable zoning ordinance indicated above and immediate action was warranted.

Section 35-171 of the Coastal Zoning Ordinance (Article II) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer the permit requirements of Article II and issue an Emergency Permit when emergency action is warranted by a person or public agency. Section 35-171.6 of Article II requires the Director to submit a written report describing the emergency action to the Board of Supervisors and the California Coastal Commission after issuing an Emergency Permit. Public notice of the emergency work was provided in accordance with Section 35-171.5.1.

The Emergency Permit was conditioned to complete the work within 30 days of issuance and the work was completed the week of September 10, 2012. In addition, pursuant to Article II Section 35-171.3.3 an Emergency Permit does not constitute an entitlement; thus, Emergency Permit conditions required the owner submit an application for a CDP within 30 days of issuance of the Emergency Permit to complete permitting. That permit has been submitted and is in the review process.

The project is consistent with the Comprehensive Plan, the Coastal Land Use Plan, and Article II.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

County costs for preparing the Emergency Permit are reimbursed by the applicant pursuant to the current Board-approved fee resolution. Permit processing revenues are budgeted in the Planning and Development Department Summary section of the adopted 2012-2013 fiscal year budget, page D-138.

Attachments:

Emergency Permit 12EMP-00000-00005

Authored by:

Susan Curtis (805) 568-3573

cc:

Kevin Drude, Supervising Planner