



County of Santa Barbara

BOARD OF SUPERVISORS

Minute Order

August 22, 2023

Present: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT DEPARTMENT

File Reference No. 23-00798

RE: HEARING - Consider recommendations regarding the Applicant (Pacific Pipeline Company) appeal of the Planning Commission's April 26, 2023 denial of the Existing Oil Lines 901/903 Valve Upgrade Project Amendment, Case Nos. 23APL-00022; 21AMD-00000-00009 & 22CDP-00000-00048, Third and Fourth Districts, as follows: (EST TIME: 1 HR. 45 MIN.)

- 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 California Environmental Quality Act (CEQA) findings;
- c) After considering the environmental review documents included as Attachment C-1, C-2, and D of the February 2, 2023 Planning Commission Staff Report (Included in Attachment 2 of the July 18, 2023 Set Hearing 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 to the Board Letter).

Or, alternatively, the Board could deny the appeal and deny the project, as follows:

- a) Deny the appeal, Case No. 23APL-00022;
- b) Make the required findings for denial of the project, Case Nos. 23APL-00022, 21AMD-00000-00009 and 22CDP-00000-00048;
- 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 as Attachment 3 of the July 18, 2023 Set Hearing Letter) including CEQA findings; and



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d) Deny the Project, Case Nos. 23APL-00000-00022, 21AMD-00000-00009 and 22CDP-00000-00048.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:24 AM - 1:40 PM (3 HR. 16 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Nelson, that this matter be acted on as follows:

Accepted into the record the following documents: Letter dated August 18, 2023 at 5:12 PM from Warren Powers; Letter dated August 20, 2023 at 2:30 PM from Cindy Naughton; Letter dated August 21, 2023 at 4:24 PM from Robert Almy; and Letter dated August 22, 2023 at 6:23 PM from Seth Steiner.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Capps, Supervisor Nelson, and Supervisor Lavagnino

Recused: 1 - Supervisor Hartmann



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- 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 California Environmental Quality Act (CEQA) findings;
- c) After considering the environmental review documents included as Attachment C-1, C-2, and D of the February 2, 2023 Planning Commission Staff Report (Included in Attachment 2 of the July 18, 2023 Set Hearing 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 to the Board Letter).

Or, alternatively, the Board could deny the appeal and deny the project, as follows:

- a) Deny the appeal, Case No. 23APL-00022;
- b) Make the required findings for denial of the project, Case Nos. 23APL-00022, 21AMD-00000-00009 and 22CDP-00000-00048;
- 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 as Attachment 3 of the July 18, 2023 Set Hearing Letter) including CEQA findings; and



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d) Deny the Project, Case Nos. 23APL-00000-00022, 21AMD-00000-00009 and 22CDP-00000-00048.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

A motion was made by Supervisor Nelson, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

- a) Granted the appeal, Case No. 23APL-00022;
- b) Adopted the required findings for approval of the Project Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048, including California Environmental Quality Act (CEQA) findings;
- c) Approved; and
- d) Granted de novo approval of the Project, Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048, subject to the conditions of approval.

The motion failed by the following vote:

Ayes: 2 - Supervisor Nelson, and Supervisor Lavagnino

Noes: 2 - Supervisor Williams, and Supervisor Capps

Recused: 1 - Supervisor Hartmann



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- 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 California Environmental Quality Act (CEQA) findings;
- c) After considering the environmental review documents included as Attachment C-1, C-2, and D of the February 2, 2023 Planning Commission Staff Report (Included in Attachment 2 of the July 18, 2023 Set Hearing 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
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Or, alternatively, the Board could deny the appeal and deny the project, as follows:

- a) Deny the appeal, Case No. 23APL-00022;
- b) Make the required findings for denial of the project, Case Nos. 23APL-00022, 21AMD-00000-00009 and 22CDP-00000-00048;
- 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 as Attachment 3 of the July 18, 2023 Set Hearing Letter) including CEQA findings; and



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d) Deny the Project, Case Nos. 23APL-00000-00022, 21AMD-00000-00009 and 22CDP-00000-00048.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

A motion was made by Supervisor Capps, seconded by Supervisor Williams, that this matter be acted on as follows:

a) Denied the appeal, Case No. 23APL-00022;

b) Adopted the required findings for denial of the Project Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048, including California Environmental Quality Act (CEQA) findings;

c) Approved; and

d) Denied the Project, Case Nos. 21AMD-00000-00009 and 22CDP-00000-00048, subject to the conditions of approval.

The motion failed by the following vote:

Ayes: 2 - Supervisor Williams, and Supervisor Capps

Noes: 2 - Supervisor Nelson, and Supervisor Lavagnino

Recused: 1 - Supervisor Hartmann