

ATTACHMENT 6

87-DP-32 Conditions of Approval

CONDITIONS OF APPROVAL

ExxonMobil Santa Ynez Unit Expansion Project 87-DP-32cz

(Modified on July 25, 2001 with 87-DP-032cz (RV05) Synergy Project)
(Modified on February 19, 2003 with 87-DP-032cz (RV06) Offshore Power Cable Repair &
Enhancement Project)

ExxonMobil Santa Ynez Unit
Expansion Project
87-DP-32cz

Santa Barbara County
Conditions of Approval
September 15, 1987

(Modified on July 25, 2001; Synergy Project)

(Modified on February 19, 2003; Offshore Power Cable Repair and Enhancement Project)

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**ExxonMobil Santa Ynez Unit
Expansion Project
87-DP-32cz
Santa Barbara County Conditions of Approval
September 15, 1987
(Modified on July 25, 2001 and February 19, 2003)**

I. GENERAL

I-1. DELETED

I-2. Grounds for Permit Modification or Revocation

Failure to abide by and faithfully comply with any conditions for the granting of this permit shall constitute grounds for the modification or revocation of this permit.

Approval of the Final Development Plan and any subsequent revisions shall expire five (5) years after approval by the Santa Barbara County Planning Commission, unless prior to the expiration date, substantial physical construction has been completed on the development or ExxonMobil (or successor) has applied for time extension. The decisionmaker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year.

If ExxonMobil requests a time extension for this permit/project or revisions to this permit/project, this permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of approval of a LUP/CDP. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

I-3. Permit Defense and Court Costs

ExxonMobil agrees as a condition of the issuance and use of this permit to defend at its sole expense any action brought against the County because of issuance of this permit. ExxonMobil will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve ExxonMobil of its obligation under this condition. County shall bear its own expenses for its participation in the action.

I-4. Costs of Implementing and Enforcing Conditions

The Director of the Planning and Development Department shall present to the Board of Supervisors a monitoring and enforcement plan which shall set forth the staffing requirements and materials reasonably necessary for such enforcement. ExxonMobil shall

pay a pro-rata share of the costs necessary to allow the County to adequately develop the program, and to implement and enforce the conditions imposed on ExxonMobil by applicable County ordinances and the conditions of this permit. The timing and nature of the payments will be determined as part of program development.

ExxonMobil shall also post a security agreement in a form approved by County Counsel to secure the obligations created pursuant to this condition and also to secure payment of any amounts adjudged to be due pursuant to any enforcement action. Should legal action be required to enforce any rights under this permit the prevailing party shall be entitled to reasonable attorney's fees and costs pursuant to Civil Code 1717.

I-5. ExxonMobil Reimbursement to County

All reasonable expenses incurred by the County or County contractors for permitting, permit condition implementation, reasonable studies, and emergency response directly and necessarily related to enforcement of these permit conditions shall be reimbursed by ExxonMobil within 30 days of invoicing by County. All such activities may be conducted by an independent consultant under contract to the County, if deemed necessary by County.

For those studies which entail major ongoing efforts by a County-hired consultant, County shall provide for ExxonMobil's involvement in contractor selection, scope of work definition, and other such areas. The County shall consult with ExxonMobil prior to authorization of major contractor activity which is reimbursable by ExxonMobil.

I-6. Access to Records and Facilities

As to any condition which requires for its effective enforcement the inspection of records or facilities by County or its agents, ExxonMobil will make such 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 ExxonMobil in writing.

I-7. Uses of Permitted Facility

All facilities constructed and operated under this permit shall be used only for the storage of 540 KB oil and the processing of a maximum of 140 KBD oil and 21 MMSCFD gas for the stripping gas treating plant produced from the Santa Ynez Unit. Marine terminal facilities are permitted herein to transport a maximum of 140 KBD quarterly average oil. 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 Santa Ynez Unit Final Development Plan. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

I-8. Memorandum of Agreement (MOA II) Conditions

The agreements made in the Memorandum of Agreement (MOA II) entered into between ExxonMobil and County on October 8, 1982 are incorporated into this permit as conditions with the same force and effect as other permit conditions contained herein. Both parties acknowledge and agree that as of the date of this permit approval the MOA II is in and remains in full force and effect. If any conditions contained herein are in conflict with provisions of MOA II, the conditions contained in this permit shall prevail.

I-9. Project Description and Modifications

ExxonMobil's Revised Preliminary Development Plan (86-DP-51cz) and Final Development Plan (87-DP-32cz) applications, including all subsequent clarifications and additions formally submitted, and all permit condition compliance plans, including all subsequent clarifications and additions formally submitted in compliance with those conditions, are incorporated by reference into this permit as conditions with the same force and effect as other permit conditions contained herein. No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The project shall be developed in conformity with the approved development. 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. Modification of any procedures, operating techniques, design specifications and other project descriptions contained in these documents will not be permitted without a determination of substantial conformance with the approved preliminary or final development plan or, in lieu of such a determination, a new or modified permit. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.) (Added February 19, 2003: Offshore Power Cable Repair & Enhancement Project.)*

I-10. Authority for Curtailment

In addition to the authority to enforce and secure compliance with the provisions of this permit under Division 11, Article III of Chapter 35 of the Santa Barbara County Code, 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 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 given to 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 may summarily order the necessary curtailment of activities without prior notice and 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 48 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 or notice of such order is given, whichever later occurs. Procedures for such appeal shall be those procedures described in Santa Barbara County Zoning Ordinance Article III, Sections 35-327.3.2 through 35-327.4.

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 final.

Once ExxonMobil 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.

I-11. 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.

I-12. 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 feasible condition most protective of natural environmental resources and public health and safety shall prevail. Conflicts which arise prior to approval of the FDP shall be resolved by the Planning Commission. Conflicts which arise prior to construction, or during construction or operations, shall be resolved by the Director of the Planning and Development Department.

I-13. Submittal of As-Built Drawings

Within one year after initial start-up of each project component, ExxonMobil shall submit as-built drawings of that component to County. ExxonMobil shall submit as many sets of drawings (up to ten sets) as requested by the Public Works Department. ExxonMobil shall submit as-built Piping and Instrumentation Diagrams (P&IDs) to the County Planning & Development Department, Building & Safety Division, within 90 days of Synergy Project start-up. (Modified July 25, 2001; 87-DP-032cz(RV05).)

I-14. Owner and Operator Liability

The owner and 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, brine or water spillage, fire, explosion, odor, or air pollution, in any way involving petroleum or gas or the impurities contained therein or removed therefrom and which arises out of construction or operation of ExxonMobil's facilities. This declaration of strict liability and the limitations upon it shall be governed by the applicable laws of California on strict liability. For the purpose of this condition, the "facility" shall be deemed to include all facilities described and approved pursuant to 86-DP-51cz and 85-CP-16cz as amended pursuant to 87-DP-32cz. This condition shall not inure to the benefit of any of the owners or users of the ExxonMobil facility, including the United States Government. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

I-15. Injunctive Relief

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.

I-16. Failure to Comply

In the event that ExxonMobil 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.

Said civil penalty shall be in addition to ExxonMobil's obligation to reimburse the County of Santa Barbara (and others) for actual damages suffered as a result of ExxonMobil'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.

I-17. Permit Violations

Any person, firm or corporation, whether as a principal, agent, employee, or otherwise, violating any provisions or conditions of this ordinance or permits, shall be guilty of an infraction or misdemeanor and upon conviction thereof, shall be punishable as set forth in the applicable County Ordinance.

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.

I-18. Authority to Change Responsible Department

The Santa Barbara County Board of Supervisors shall have the authority to specify or change the Santa Barbara County Department responsible for enforcement and administration of any conditions contained herein.

I-19. Alternative Mitigation if County Cannot Assess Fees

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 this permit shall be suspended until other feasible mitigation measures are imposed which will adequately mitigate the significant impacts formerly mitigated by the imposition of fees. However, the County shall not suspend or modify this permit pursuant to this condition so long as ExxonMobil has continued to fulfill its agreements under this permit.

I-20. DELETED

I-21. Written Acceptance of the Final Development Plan

ExxonMobil shall provide written acceptance of the Final Development Plan permit within 90 days of final County action on this permit. Failure to provide such timely acceptance will allow the County to cancel the permit.

I-22. DELETED

I-23. "ExxonMobil" Definition

The term "ExxonMobil" shall be understood to apply to ExxonMobil Production Company (a Division of Exxon Mobil Corporation) and any other entity, owner, partner or operator using these permitted facilities unless such a meaning would be inappropriate.

I-24. Subsequent Additional Mitigation

The remedies available to the County upon applicant's failure to comply with subsequent additional mitigation required as part of and pursuant to this permit include but are not limited to those remedies which are available to the County upon applicant's failure to comply with a permit condition. In order for such mitigations to be treated with the status of a permit condition, they shall first be considered and approved by the Planning Commission in a noticed public hearing.

II. PERMIT REVIEW

II-1. Construction Review by SSRRC

Prior to construction of a project component (such as site work or individual facility construction), ExxonMobil shall submit to the Director of the Planning and Development Department (P&D) and the System Safety and Reliability Review Committee (SSRRC), as directed by P&D, relevant construction drawings and supporting text demonstrating compliance with relevant conditions. Construction of each component may not commence until County has approved the appropriate submittal and all necessary construction permits are issued. Within 15 days of submittal, the SSRRC will deem the submittal complete or incomplete with a list of deficiencies. Within 15 days of a submittal being deemed complete by the SSRRC, County shall either give written notice to proceed with construction or notify ExxonMobil that the SSRRC review will be completed within a specified period, as warranted by sound engineering practices. *(Modified May 4, 1994; II-2 Review)*

II-2. Condition Effectiveness Review

If at any time County determines that the mitigations imposed by these permit conditions are inadequate to fully mitigate significant environmental impacts identified in the ExxonMobil SYU EIS/R (83-EIR-22) and its supplements, other than air quality impacts, caused by the Santa Ynez Unit project, then additional reasonable and feasible conditions shall be imposed to further mitigate these identified impacts. ExxonMobil agrees that it will comply with such reasonable and feasible conditions, subject to review thereof under all applicable provisions of law. County shall conduct a comprehensive review of the project conditions three years after permit issuance and at appropriate intervals thereafter. Upon written request, the Board of Supervisors shall determine whether any new condition required is reasonable and feasible, considering the economic burdens imposed and environmental benefits to be derived. In no event shall this condition be construed so as to preclude ExxonMobil from vesting rights under this permit as provided under law.

II-3. DELETED

II-4. DELETED

II-5. County Authority to Review and Impose Mitigations From Other Jurisdictions

This permit is premised upon findings that where feasible, all significant environmental effects of the project identified in the ExxonMobil SYU EIS/R (83-EIR-22) and the Getty Gaviota EIR (84-EIR-15) as it applies to the marine terminal portions of this project, including Supplements, will be substantially mitigated by the permit conditions or other findings appropriate under CEQA are made. Prior to approval of the Final Development Plan, County shall review any findings that identified certain mitigation measures as being in the proper jurisdiction of another agency. At that time, County shall 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, prior to Final Development Plan approval, County determines that no other agency is implementing such feasible mitigation measures, then County may impose feasible measures to mitigate those environmental impacts in accordance with the appropriate mitigation measure in the FEIS/R and Supplements. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

II-6. Consolidated Marine Terminal Feasibility Demonstration

Prior to Planning and Development Department final approval of any construction plans associated with the consolidated marine terminal, ExxonMobil must demonstrate to the Planning Commission either that industry's oil transportation demand for situations set forth in Local Coastal Plan Policy 6-8 and Coastal Zoning Ordinance Section 35-154.5(i) is greater than the capacity of the Gaviota Interim Marine Terminal, or that the impacts associated with the consolidated marine terminal are environmentally preferable to those associated with continued use of the Gaviota Interim Marine Terminal. Upon such reasonable demonstration, the Planning Commission shall not withhold approval of construction plans.

If by July 1, 1988, or later, ExxonMobil and Celeron/All American Pipeline Company have come to an agreement on a tariff rate and other essential contract terms, and ExxonMobil has, consistent with LCP Policy 6-8 and Coastal Zoning Ordinance Section 35-154.5 (i), committed to using the pipeline pursuant to that agreement for the transportation of SYU crude oil destined for refineries served by that pipeline, the preceding paragraph shall be nullified. Construction of the marine terminal shall not commence prior to July 1, 1988. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

III. MANAGEMENT

III-1. Environmental Quality Assurance Program

Prior to approval of the Final Development Plan, ExxonMobil shall submit a written plan approved by the Director of the Planning and Development Department for an Environmental Quality Assurance Program. This initial program shall describe the steps ExxonMobil will take to assure compliance with these conditions and include provisions for an onsite Environmental Coordinator (and any other necessary personnel) with credentials approved by the Director of the Planning and Development Department during the construction phase, provisions for ensuring contractor knowledge of and compliance with these conditions, and

the submission to the Director of the Planning and Development Department of annual reports describing the project status, permit condition compliance, and a summary of results of any data collection efforts being conducted by ExxonMobil. The contractor selected to implement the EQAP shall be under contract to the County, and funded by ExxonMobil. The approved program shall be implemented by ExxonMobil prior to construction and shall be amended as required and approved by the Director of the Planning and Development Department annually.

III-2. 24-Hour Emergency Contact

Prior to issuance of any Land Use Permits or Coastal Development Permits, ExxonMobil shall provide to the Director of the Planning and Development 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 # I-10 in this permit. 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 to respond to inquiries received from citizens and the County. If the address or phone number of the applicant's agent should change, or the responsibility be assigned to another person or position, the applicant shall provide to the Director of the Planning and Development Department the new information within seven days.

III-3. ExxonMobil to Provide Copies of Applications and Permits to Planning and Development Department

ExxonMobil shall furnish to the Director of the Planning and Development Department copies of all permit applications relative to the project when submitted to other regulatory agencies. When such permits are received by ExxonMobil, ExxonMobil shall provide copies of the permits to the County within 30 days.

IV. FACILITY DESIGN

IV-A. BOARD OF ARCHITECTURAL REVIEW

All construction and construction activity shall be in accordance with a plan approved by the County Board of Architectural Review including the criteria outlined in Article III Zoning Ordinance Section 35-236.9 and Section 35-329, except where those criteria have been modified by this development plan. Prior to approval of the Final Development Plan, ExxonMobil shall submit to the County Board of Architectural Review (BAR) and the Director of the Planning and Development Department (P&D) and obtain BAR and P&D approval of a plan demonstrating that:

IV-A.1. BAR Review and Approval

Prior to construction, all buildings, structures, landscaping, and signs shall be reviewed and approved by the BAR.

IV-A.2. (Moved to section XIV)

IV-A.3. Landscaping for Facility Screening

Prior to use or operation, all facilities, including construction parking and marshalling areas, shall be screened by landscaping from view from Highway 101 to the maximum extent feasible, including the use of mature trees. Landscape screening shall also be placed between the project facilities and riparian habitat areas. To the extent practical, all landscaping should include the use of drought resistant, native plant species.

IV-A.4. Permanent Fencing

Prior to operation, permanent fencing shall be constructed around the project facilities.

IV-A.5. Avoidance of Riparian, Vaqueros, and Cultural Resource Areas

Prior to approval of the Final Development Plan, construction, parking, storage, and marshalling areas shall be defined on the Final Development Plan to avoid, to the maximum extent feasible, riparian habitat areas, the Vaqueros area and cultural resource areas following mitigations identified in the FEIS/R and Supplements. Prior to and during the construction period, the defined areas shall be fenced to limit disturbance of the surrounding areas.

IV-A.6. Underground SCE Power Lines

ExxonMobil shall cooperate with Southern California Edison (SCE) in the undergrounding of power lines on ExxonMobil property between the regional transmission line and the SCE substation, should the County require such undergrounding of SCE.

ExxonMobil shall fund a pro-rata share of the differential costs of implementing the environmentally preferred scenario for the transmission lines proposed by SCE from the Goleta substation to Gaviota, based on the environmental review for that project. ExxonMobil's pro-rata share shall be based upon an equitable cost-sharing formula applied to all users of the grid power.

IV-A.7. (Moved to section XIV)

IV-A.8. (Moved to section XIV)

IV-A.9. (Moved to section XIV)

IV-A.10. Energy Conservation Techniques

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

IV-A.11. Exterior Lighting

No unobstructed or unshielded beam of exterior lighting shall be directed toward any area outside graded pads depicted in the Final Development Plan. 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 facilities. Shielding or re-aiming lights to minimize glare from night lighting shall be utilized onshore and on vessels offshore when within 0.5 mile from shore unless such shielding would conflict with US Coast Guard requirements. *(Added February 19, 2003, Offshore Power Cable Repair & Enhancement Project.)*

IV-A.12. Glare

No glare or other radiation resulting from facilities, other than lighting fixtures or gas flares, constructed pursuant to this Development Plan shall be detectable at any point along or outside the exterior boundaries of the ExxonMobil property.

IV-A.13. (Moved to section XIV)

IV-A.14. Removal of El Capitan Marine Terminal Facilities

Within one year from Final Development Plan approval, ExxonMobil shall remove the old El Capitan marine terminal tank and associated facilities located immediately north of the Highway 101 frontage road and east of the boundaries of the ExxonMobil property. Prior to commencing removal operations, ExxonMobil shall obtain Planning and Development Department approval of a restoration plan for all affected areas which shall include excavating any contaminated soil, and recontour the area, and revegetate the site to blend with the natural state of the surrounding area.

IV-A.15. Tank Removal

ExxonMobil shall cause to have removed the 30,000-barrel tank located adjacent to the ExxonMobil SYU Project temporary vehicle parking lot at the mouth of Corral Canyon. Physical removal of this tank shall be initiated prior to operation of oil and gas facilities constructed pursuant to this Development Plan. ExxonMobil shall screen the remaining tanks at the lower tank farm from public view, with tall trees or shrubs. This vegetative screening shall be established as soon as possible following completion of facility removal activities at the lower tank farm. ExxonMobil shall cause to have permanently removed a 1,000-barrel tank and a condensate separator tank visible in the upper tank farm. Additional tanks and separators at the upper tank farm shall be temporarily removed pending replacement of the equipment removed by the lease-holder. Equipment that is replaced shall

meet County Petroleum Administrator standards and shall be painted with the color "Sagebrush" or other suitable color as determined by Planning and Development Department. Removal of these facilities shall be initiated as soon as possible following approval of this FDP amendment. All necessary permits shall be obtained prior to any tank removal. All tank removal and landscaping requirements of this condition shall be completed prior to January 1, 1994, unless an extension is obtained from the Director of the Planning and Development Department or his/her designee. *(Modified August 10, 1993)*

IV-A.16. Landscaping and Revegetation Bond

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

IV-B. GRADING

IV-B.1. Grading and Erosion Control Plan

ExxonMobil shall construct all facilities in accordance with a Grading Plan and an Erosion Control Plan prepared by a State of California registered Engineer and approved by the Public Works Department, Flood Control Department, and the Director of the Planning and Development Department prior to issuance of a Land Use Permit and/or Coastal Development Permit. Consideration of road crossing and crossing culvert design in terms of sediment loading and loss during flood flows, including 100-year storm flow, shall be included in the Erosion Control Plan.

Above-ground structures in the coastal zone shall not be constructed on slopes which exceed 40 percent prior to grading.

IV-B.2. Landscaping and Irrigation Plan

Prior to approval of the Final Development Plan, ExxonMobil shall obtain Planning and Development Department approval of a landscape and irrigation plan, which has been reviewed by the ExxonMobil soils engineer and engineering geologist, and approved by the County, to ensure that irrigation methods will not increase erosion or adversely affect slope stability. To reduce irrigation requirements, reseeded of cut and fill slopes should be scheduled to take advantage of natural rainfall. This schedule should take into consideration the time required for the establishment of vegetative cover and root mat sufficient for slope stabilization.

IV-B.3. Seasonal Restrictions on Trenching and Grading

No trenching in the riparian habitat areas shall be performed in the wet season (November 1 through April 15) unless ExxonMobil demonstrates to the satisfaction of the Director of Planning and Development Department (P&D), in consultation with a qualified biologist

selected by and under contract to the County, that environmental impacts will not be increased as a result of grading at other times. Pipeline construction grading in the State Parks shall only occur during the winter months. Grading outside of the riparian area may occur year-round provided sediment catch basins, which have been approved by the Public Works Department, are installed prior to grading.

If onshore work associated with the Offshore Power Cable Repair and Enhancement Project is proposed to occur during the rainy season (November 1–April 1), ExxonMobil shall submit, in addition to the demonstration required above, a project-specific Erosion Control Plan, along with grading plans, to ensure proper drainage or containment of manmade structures and sediment and debris away from Corral Creek. Plans shall be submitted to Santa Barbara County Planning and Development for review and approval prior to initiation of construction work onshore. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

IV-B.4. Storm Drainage Plan

Prior to issuance of any Land Use Permits or Coastal Development Permits, ExxonMobil shall submit to the Flood Control Engineer and the Director of the Planning and Development Department for approval a drainage plan that demonstrates adequate protection in a 100-year rainfall event, and shall submit a description, process flow diagram, and calculations describing the containment and treatment of a 100-year storm flow around all tanks and process vessels, including chemistry of untreated runoff discharged water and disposition of treated wastes from separation devices. The plan shall also identify procedures to ensure that, should a 100-year storm flow occur, the culvert under Highway 101 does not become blocked, causing flooding of the facilities in lower Corral Canyon.

IV-B.5. Future Consolidated Grading Plan

As part of the FDP ExxonMobil shall submit a grading plan for future consolidated oil processing facilities to at least 210 KBOD.

IV-B.6. Marine Terminal Grading

Grading for any marine terminal facilities shall not commence prior to grading for other project facilities. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

IV-C. DOMESTIC WATER SUPPLY

IV-C.1. Water Permit for Well #3

Prior to issuance of any Land Use Permits or Coastal Development Permits for facilities, ExxonMobil shall obtain from Environmental Health Services an approved Domestic Water Supply Permit application for Well #3.

IV-D. ON-SITE FACILITIES

IV-D.1. Underground Liquid Storage Tanks

Prior to issuance of the appropriate Land Use Permit, ExxonMobil shall obtain permits from Environmental Health Services for construction and/or modification of any underground liquid (including molten sulfur) storage tanks.

IV-D.2. Removal of Debris

During the life of the project, ExxonMobil will remove or cause to be removed any and all above ground man-made junk and debris located on the property, including any abandoned oil and gas pipelines, tanks, pumping units, and separators. The area shall be recontoured and revegetated to blend with the natural state of the surrounding area.

IV-D.3. Design Plans for Road Improvements

Design of all road improvements including culvert design for stream crossings, shall be performed by a Civil Engineer registered in the State of California. Plans and profiles shall be submitted to the Public Works Department for approval.

IV-D.4. DELETED

IV-D.5. Parking Regulation Compliance

Prior to approval of the Final Development Plan, ExxonMobil shall demonstrate compliance with the provisions of the parking requirements of Chapter 35, Article III, Division 6, "Parking Regulations," of the County Zoning Ordinance.

IV-D.6. Water-Conserving Fixtures

The design of all onsite facilities shall incorporate the use of water-conserving fixtures to the maximum extent feasible.

IV-D.7. Permitted Trailers

Upon completion of ExxonMobil/POPCO Process Synergy Project construction activities, the property owner, at his or her expense, shall promptly remove the trailers from the property and disconnect all utilities associated with the use of the trailers in accordance with Section 35-281 of the County Inland Zoning Ordinance.

IV-E. OFF-SITE FACILITIES/RECREATION

IV-E.1. Parking Management Plan

Prior to approval of the Final Development Plan, ExxonMobil shall submit a plan to the Director of the Planning and Development Department demonstrating adequate onsite and offsite parking for all private vehicles belonging to employees, contractors, and other project-related personnel as identified in the FEIS/R and Supplements.

All such vehicles shall be parked at the designated parking areas. The plan shall include provisions for employee shuttle bus service from offsite parking areas during the construction phase. Prior to construction, any new parking areas shall be screened from public view pursuant to a landscape plan approved by the County Board of Architectural Review.

IV-E.2. Responsibility for Oil Spill Clean-Up and Resource Restoration

Prior to start-up, ExxonMobil shall submit a plan approved by the Director of the Planning and Development Department demonstrating that ExxonMobil shall restore areas of any accidental oil spill damage within Santa Barbara County jurisdiction arising out of this project to pre-spill conditions. In the event that any other party liable for an accidental spill is found to be unable to pay damages, ExxonMobil shall restore the area. This plan shall be implemented for onsite spills, and offsite spills, including marine terminal accidents and accidents involving marine vessels serving ExxonMobil. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

IV-E.3. (Moved to XIV-8)

IV-E.4. Contribution to Beach Pilings Removal

Prior to approval of the Final Development Plan, ExxonMobil shall contribute \$25,000 to a County-maintained fund which will be used for the prompt partial or complete removal of abandoned steel pilings on the beach at El Capitan State Beach Park. Additional funds for this removal will be obtained from other projects which have similar impacts on beach and recreational facilities.

IV-E.5. Compliance with State Parks TUP

ExxonMobil shall obtain and comply with all conditions of approval set forth in its State Parks Temporary Use Permit (TUP). The TUP shall be obtained and a copy submitted to the County of Santa Barbara Planning & Development Department prior to initiation of onshore construction work associated with the Offshore Power Cable Repair and Enhancement Project. *(Added February 19, 2003; Offshore Power Cable Repair and Enhancement Project.)*

IV-E.6. Pipeline Beach-Crossing/Beach Access

Prior to installation of the pipeline beach crossings, ExxonMobil shall ensure that there is adequate vertical access to the beach adjacent to the project site. ExxonMobil shall, at its own expense, maintain this access for 5 years after completion of pipeline installation.

IV-E.7. Funding for Coastal Bikeway System

Prior to start-up, as a mitigation for closing the Coastal Bikeway during the construction period, ExxonMobil shall pay for the reconstruction of the existing bikepath between El Capitan and Refugio State Beach Parks according to the standards of the State Department of Parks and Recreation or provide to the Department of Parks and Recreation an equal amount of funding for the construction of a new link in the Coastal Bikeway System.

IV-E.8. Bike Path Safety and Maintenance

In order to ensure public safety during construction, repair and/or removal activities, signs shall be posted alerting cyclists and pedestrians to project-related work being conducted along the bike path when access to the tunnel is required. Notices shall be posted at least 24 hours prior to any vehicle access and proof of noticing submitted to the County Planning & Development Department prior to initiation of construction/removal activities.

During any time that the south tunnel access manhole is open, safety barriers shall be erected in the immediate area to ensure public safety. In addition, speed limits for vehicle traffic along the bike path shall be adhered to pursuant to State Parks rules implemented for public safety. The County EQAP monitor shall verify compliance in the field.

ExxonMobil shall submit photo documentation of the physical condition of the bike path before and after access to the south manhole tunnel. ExxonMobil shall be responsible for any maintenance or repair work necessary if there is evidence of damage during construction. The applicant shall coordinate with El Capitan State Beach Park and State Parks for pre- and post-construction inspections. *(Added February 19, 2003; Offshore Power Cable Repair and Enhancement Project.)*

IV-E.9. ExxonMobil to Fund Necessary Road Improvements

Prior to issuance of any Land Use Permits or Coastal Development Permits, ExxonMobil shall fund any necessary road improvements to serve the project sites identified by the County Public Works Department, Roads Division which may include modifications to the El Capitan/Calle Real interchange, and roadbed improvements on Calle Real. As other potential road users obtain permits from Santa Barbara County, they will be required to reimburse ExxonMobil on a pro-rata basis.

V. COGENERATION PLANT

V-1. NO_x Control

In order to mitigate significant air quality and groundwater impacts identified in the FEIS/R and to facilitate future consolidation of oil and gas processing facilities on ExxonMobil's property consistent with Santa Barbara County policies, ExxonMobil is allowed to size the cogeneration plant at 49 megawatts with 90 percent NO_x control.

Should ExxonMobil be unable to achieve 90% NO_x reduction, it may, upon approval by the APCD, apply to Planning and Development Department for permission to operate the plant at a level of at least 80% NO_x reduction. Such permission shall be granted only if ExxonMobil provides sufficient emissions reductions to offset the increased emissions pursuant to the District's offset ratio in effect at the time of the APCD Source Compliance Demonstration Period and demonstrates that the additional emissions will not cause a violation of applicable federal, state, or local standards, regulations, or increments.

VI. PIPELINE AND NGL/LPG TRANSPORTATION

VI-1. Oil Transportation

All oil processed by ExxonMobil's oil treatment facility shall be transported from the facility and the County by pipeline in a manner consistent with Santa Barbara County Local Coastal Plan Policy 6-8. Transportation by a mode other than pipeline may be permitted only in accordance with Coastal Zoning Ordinance Section 35-154.5(i), applicable Local Coastal Plan policies and Control Measure R-12 of the Air Quality Attainment Plan, to the extent it is applicable.

VI-2. NGL Blending and Transportation

All natural gas liquids (NGLs), including liquified petroleum gases (LPGs), processed by ExxonMobil's oil and gas treatment facilities shall be transported from the facilities in a manner consistent with Resolution No. 93-480 approved by the Board of Supervisors on September 7, 1993. Compliance with this condition shall specifically require ExxonMobil to retain or blend the maximum feasible volume of NGLs within its processed crude oil.

In the absence of another active application and as directed by the Board of Supervisors, ExxonMobil shall apply for, or participate in an application for, a regional NGL/LPG transmission facility (dedicated pipeline or improvements to existing crude oil pipelines to facilitate batch shipments of NGLs), considering feasibility pursuant to Resolution 93-480.

ExxonMobil shall obtain Planning and Development Department approval of a plan detailing how ExxonMobil will assure compliance with this condition. *(Modified May 4, 1994; II-2 Review.)*

VI-3. NGL Importation From POPCO

Except as noted in Condition VI-4 below, ExxonMobil shall import NGLs from the POPCO Las Flores Canyon Gas Plant to ExxonMobil's Stripping Gas Treating Plant (SGTP) solely via the NGL flowline. The flowline shall be used in accordance with the approved NGL flowline project description (87-DP-32AM04). ExxonMobil shall report the volume of NGLs imported to the SGTP to the Planning and Development Department (P&D) annually through the Operations EQAP, and at any time upon reasonable request from P&D. *(Added February 14, 1997).*

VI-4. NGL Unloading Station

In accordance with the approved NGL Unloading Station project description (87-DP-32AM03), ExxonMobil is permitted to import NGLs from the POPCO Las Flores Canyon Gas Plant to ExxonMobil's Stripping Gas Treating Plant (SGTP) via unloading facilities constructed at the LPG Storage Pad. This authorization shall be valid until September 15, 1997, after which time all truck unloading shall cease, except for: unloading NGLs from overweight ExxonMobil trucks; or unloading NGLs from ExxonMobil trucks carrying product, loaded at ExxonMobil's SYU facilities, that does not meet sales specification; or unloading NGLs from POPCO's facilities when it is infeasible to receive NGLs via a pipeline from POPCO because of upset conditions or facility turn-arounds. Any request to import NGLs or any other gas liquids from any source other than POPCO shall be reviewed by the Planning Commission as a revision to ExxonMobil's FDP. The volume of NGLs permitted to be imported by truck until September 15, 1997 is 438,000 barrels of NGLs per year (annual average). ExxonMobil shall report the volume of NGLs imported to the SGTP to the Planning and Development Department (P&D) annually through the Operations EQAP and at any time upon reasonable request from P&D. *(Added July 21, 1994; Amended July 16, 1996; Amended May 21, 1997.)*

VI-5. NGL Pipeline Connecting POPCO to ExxonMobil

By September 15, 1997, ExxonMobil shall construct and operate a pipeline, or use a pipeline constructed and operated by others, that connects POPCO's facilities to ExxonMobil's facilities for the purpose of shipping NGLs to ExxonMobil for blending in the crude oil shipped by ExxonMobil, and for incidental further processing necessary to accomplish blending. In no case shall ExxonMobil unload NGLs shipped via truck from POPCO's facilities to ExxonMobil after September 15, 1997, with exceptions noted in Condition VI-4. *(Added July 21, 1994; Amended July 16, 1996; Amended May 21, 1997.)*

VII. CONSOLIDATION

VII-1. Consolidation and Co-location

ExxonMobil shall make its facilities and property available for consolidation and co-location of oil and gas facilities on a non-discriminatory and equitable basis. County retains the right to verify that the use of the facilities and property is conforming with County policies regarding consolidation and to impose additional permit conditions where necessary to assure these policies are being fulfilled.

Consistent with the approved policy resolution regarding the consolidation of oil and gas processing facilities, in the event that the need for such facilities is demonstrated by other developers to the Planning Commission, ExxonMobil shall make available to such other developers any excess capacity of the SYU project facilities. In the event that sufficient excess capacity does not exist within the SYU project facilities to serve the needs of such other developers as demonstrated to the Planning Commission, ExxonMobil shall make its

Las Flores/Corral Canyon property available to other developers for the construction of additional permitted oil and gas-related facilities. In the event that such necessary facilities are not permissible pursuant to the County's consolidation policies, ExxonMobil shall reduce its throughput on a pro-rata basis to accommodate such other developers.

The intent of this condition is to ensure the efficient and maximum use of oil and gas-related facilities in order to avoid the construction of redundant facilities.

VII-2. Terms for Shared Facility Use

Prior to approval of the Final Development Plan and at any time thereafter, as requested by the County, ExxonMobil shall submit to the Director of the Planning and Development Department terms, including financial terms, under which other producers in the area would be permitted to enter and use either the facilities or property in the canyons for oil and/or gas processing or storage facilities, or ancillary facilities including but not limited to electrical substations, power generating facilities, water treatment facilities, wastewater loading facilities, and NGL/LPG loading facilities. ExxonMobil shall submit the requested information to the Director of the Planning and Development Department within thirty (30) days of such request or by a date mutually agreed upon by ExxonMobil and the Director of the Planning and Development Department. If these terms are determined to be unacceptable to potential users of the facility and if agreement cannot be reached, the County shall reserve the right to impose additional conditions as described above to amend the permit. The intent of this condition is to ensure the efficient and maximum use of oil and gas transportation and processing facilities. *(Modified May 4, 1994; II-2 Review)*

VII-3. DELETED

VII-4. Oil Storage Capacity

Oil storage tanks, up to a maximum of 650,000 barrels, shall be permitted only in Corral Canyon on the proposed fill pad.

VIII. REMOVAL OF EXISTING FACILITIES

VIII-1.OS&T Discontinuance and Removal

ExxonMobil shall discontinue use of the OS&T within 30 days after the time that onshore oil facilities are fully operational and debugged. In any event, ExxonMobil shall remove the OS&T within one year of initial start-up of oil processing facilities. These time limits may be extended by the County upon a showing of good cause. The intent of this condition is to require the earliest practical removal of the OS&T.

VIII-2.OS&T SALM Removal

The existing SALM now used for the OS&T shall be removed within three months after removal of the OS&T. This time limit may be extended by the County upon a showing of good cause.

VIII-3.No OS&T in California Coastal Waters Off Tri-Counties

After removal or shutdown of the OS&T, ExxonMobil shall not use, permit others to use, or transfer the OS&T for further oil and gas processing in California Coastal Waters offshore Santa Barbara, Ventura, and San Luis Obispo Counties, as defined in APCD Rule 205(c).

VIII-4.Cable Recycling Feasibility Analysis

Prior to approval of the Santa Barbara County Coastal Development Permit for the Offshore Power Cable Repair and Enhancement Project, ExxonMobil shall submit a Recycling Feasibility Analysis for County review and comment. The analysis shall clearly demonstrate and document inquiries made by ExxonMobil and/or its contractors for cable recycling and responses received, including any conditions and/or limitations to recycling. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

IX. MARINE TERMINAL

(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)

IX-1. Marine Terminal and SALM Permit

This permit allows for construction and operation of a marine terminal with a Single Anchor Leg Mooring (SALM) 11,250 feet offshore. The terminal is intended to serve as a consolidated facility with equitable, pro-rata access to all shippers.

IX-2. Marine Terminal Use

The Las Flores Canyon Consolidated Marine Terminal (LFCCMT) shall be used solely for the transfer of crude oil onto marine vessels for export out of Santa Barbara County. If LFCCMT construction has not commenced by April 1, 1994, and ExxonMobil has not received from the County an extension of the deferral period permitted herein, that portion of the SYU FDP (87-DP-32cz) permitting LFCCMT construction and operation shall be extinguished and become null and void and no facilities associated with the LFCCMT shall be constructed. *(Modified September 20, 1989)*

IX-3. Marine Terminal Users and Use Plan

ExxonMobil shall allow only those shippers holding valid County permits to use the marine terminal facilities. Prior to construction of the marine terminal, ExxonMobil shall obtain County approval of a plan to ensure that marine terminal facilities will be used only to serve those destinations that are not adequately served by pipeline and will in all other respects be consistent with County oil transportation policy. This plan shall include quarterly reports of

all tanker calls, volumes loaded, producers, shippers, crude oil owners, and destinations.
(Modified September 20, 1989)

IX-4. Mooring and Tanker Master Requirements

No tanker shall moor at the marine terminal unless commanded at all times during maneuvering and loading by a tanker master who has attended the ship handling course at Grenoble, France and simulator training at the Computer Assisted Operations Research Facility (CAORF) at Kings Point, or the Marine Safety International Facility at La Guardia Airport or at a County-approved equivalent.

IX-5. Segregated Ballast

No dirty ballast water shall be discharged into the coastal waters. All tankers calling at the ExxonMobil facility shall be equipped with segregated ballast systems or shall carry its own ballast.

IX-6. Marine Terminal Availability to All Users

ExxonMobil's facilities will be available to all users on a nondiscriminatory basis. County retains the right to verify that the use of the facilities is conforming with State and County policies on consolidation and to impose additional 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 use of oil transportation facilities.

IX-7. Demonstration of Need for LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning Commission and/or Board of Supervisors approval of the demonstrations required by FDP Condition II-6. *(Added September 20, 1989)*

IX-8. LFCCMT Permit Relinquishment

This condition is imposed to effectuate Local Coastal Program Policies requiring that only one consolidated marine terminal exist in Santa Barbara County. Upon County, State, and Federal approval of the Gaviota Interim Marine Terminal (GIMT) as the consolidated marine terminal in Santa Barbara County with a capacity of 125,000 barrels per day and a thirty-year term as an alternate mode of transportation to pipelines consistent with County oil transportation policies and Gaviota Terminal Company's acceptance of that approval, that portion of the ExxonMobil SYU FDP (87-DP-32cz) permitting LFCCMT construction and operation shall be extinguished and become null and void and no facilities associated with the LFCCMT shall be constructed. If the permit for the GIMT is modified to permit its operation as the consolidated marine terminal with capacity to 125,000 barrels per day and a thirty-year term as an alternate mode of transportation to pipelines consistent with County oil transportation policies in Santa Barbara County, it shall be conclusively presumed that

industry's oil transportation demand is not greater than the capacity of the consolidated Gaviota Marine Terminal and that the impacts associated with the LFCCMT are not environmentally preferable to those associated with continued use of the GIMT for purposes of SYU FDP Condition II-6. *(Added September 20, 1989)*

IX-9. Marine Emergency Management Study (MEMS)

If ExxonMobil constructs the LFCCMT, ExxonMobil shall implement the recommendations of the County's Marine Emergency Management Study (MEMS) as directed by the Board of Supervisors on June 27, 1989. *(Added September 20, 1989)*

IX-10. Risk Management Program for LFCCMT

Prior to issuance of the coastal development permit for construction of the LFCCMT, the marine terminal facilities design shall undergo review through the Risk Management Program and System Safety Reliability and Review Committee, consistent with FDP Condition XI-1. ExxonMobil shall reimburse the County for costs incurred in monitoring, if any, compliance with design and mitigation requirements for construction of the LFCCMT consistent with FDP Conditions I-5 and I-6. *(Added September 20, 1989)*

IX-11. Marine Biology Impact Reduction Plan for LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning and Development Department approval of a Marine Biology Impact Reduction Plan (MBIRP; FDP Condition XIV-7) that includes the marine terminal and marine terminal pipelines. At a minimum, this plan shall include components comparable to those included in the Planning and Development Department-approved MBIRP for the SYU pipelines, including pre-and post-construction biological surveys and a quantification of impacts to surfgrass from the marine terminal pipeline installation activities. *(Added September 20, 1989)*

IX-12. Revegetation Plan for LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning and Development Department approval of an updated Revegetation Plan (FDP Condition XIV-3) that addresses the current status of revegetation efforts along the pipeline corridor and identifies specific impact reduction and restoration procedures to be implemented for the marine terminal pipeline construction, consistent with the existing Revegetation Plan. *(Added September 20, 1989)*

IX-13. Pipeline Impact Minimization Plan for LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning and Development Department approval of an updated Pipeline Impact Minimization Plan (FDP Condition XVII-3) that identifies specific impact reduction

procedures, including concurrent or shadow construction with other pipeline project(s), to be implemented for the marine terminal pipeline construction. *(Added September 20, 1989)*

IX-14. Authority To Construct for LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall demonstrate to the satisfaction of the Air Pollution Control District (APCD) compliance with the Authority To Construct (#5651) issued by the APCD for the SYU Project. *(Added September 20, 1989)*

IX-15. NO_x and HC Emissions from the LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning and Development Department and APCD approval of an updated plan demonstrating that NO_x and HC emissions are fully mitigated and that allowable emissions are offset within the meaning of FDP Condition XII-3.b and result in a net air quality benefit to the County. *(Added September 20, 1989)*

IX-16. Construction Emissions Curtailment Plan for the LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning and Development Department and APCD approval of an updated Construction Emissions Curtailment Plan (FDP Condition XII-5) to reflect estimated overall construction emissions and emissions curtailment procedures specifically for construction activities occurring at the time of LFCCMT construction. *(Added September 20, 1989)*

IX-17. Construction Impact Mitigation Plan for the LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall demonstrate to the satisfaction of Planning and Development Department and the APCD that the project is in compliance with FDP Condition XII-5, including phased construction to minimize peak NO_x emissions and result in a net air quality benefit. *(Added September 20, 1989)*

IX-18. Episode Plan for the LFCCMT

Prior to issuance of the coastal development permit for LFCCMT construction, ExxonMobil shall obtain Planning and Development Department and APCD approval of an updated Episode Plan (FDP Condition XII-7). *(Added September 20, 1989)*

X. SOCIOECONOMIC MITIGATION PROGRAM

ExxonMobil shall participate in the Tri-County Socioeconomic Monitoring and Mitigation Program (SEMP) as adopted by the Board of Supervisors to address socioeconomic impacts identified as significant environmental impacts attributable to the proposed project. The criteria for allocating the

costs of the monitoring and mitigation program and its mitigation requirements will be uniformly applied to all industry participants; however, mitigation costs for individual projects will vary.

The intent of this program is to obtain realistic information regarding project-related impacts which may or may not be different from those impacts identified in the FEIS/R and Supplements, and to allow impacted jurisdictions to require mitigation for these and as yet unforeseen 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 in the SEMP guidelines as adopted by the Board of Supervisors in November 1985. As subsequent details in the structure of the Program are developed and approved by the Technical Advisory Committee (TAC) and the Program Advisory Committee (PAC), 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 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 to moderate income housing needs, and associated water demands.
- c. Public finance, particularly negative fiscal impacts.
- 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 or mitigation funds paid by ExxonMobil exceeds the valuation of the impacts at issue, ExxonMobil shall be granted a credit against any other current or future mitigation fees imposed on ExxonMobil for this permit by the County. ExxonMobil 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 and the Planning and Development Department.

In the event of unresolved technical issues in the area of methodology and calculation of socioeconomic impacts, there shall be a Technical Arbitration Group. This group shall be composed of three individuals without ties to either the County or ExxonMobil, one 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 Planning and Development Department and reviewed by the Board of Supervisors in a noticed public hearing.

The need for mitigation will be determined when County threshold levels are exceeded as shown by monitored activities and other data as appropriate. The Department of Regional Programs and

Planning and Development Department will recommend 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 development and production until the program is no longer deemed necessary by the County of Santa Barbara based on monitoring results and the recommendations of the Technical Advisory Committee and Program Advisory Committee.

This Monitoring and Mitigation Program is being applied as a condition of project approval in recognition of the uncertainty of projected impacts. As detailed in the specific conditions contained herein, a portion (not to exceed 30%) of some impact levels will be assessed upon approval of the Final Development Plan, with the remainder of the mitigation to be determined within the Monitoring and Mitigation Program. The purpose of this approach is to allow for a minimum amount of mitigation for impacts which will occur in the early stages of the project and which require some lead time to develop, such as housing. Any interest accrued from these funds, prior to its use to mitigate identified impacts, will be returned to the applicant.

ExxonMobil shall be responsible for its pro-rata share of the costs associated with administration of the SEMP. All costs associated with project-specific mitigation required through SEMP shall be borne by ExxonMobil.

ExxonMobil shall report to the County of Santa Barbara Department of Regional Programs information on expenditures, employment, residence information of employees, and their mode of transportation to the facilities. These data shall be provided in the form required by the SEMP. Data submittals will be made semi-annually or other frequency, as determined necessary following initial data review.

SOCIOECONOMIC CONDITIONS

X-1. Impact and Donation to Campgrounds

Previous projects have shown impacts to State campgrounds from temporary construction workers, and at a minimum, this project is expected to contribute to similar levels of campground use for temporary housing. Unless ExxonMobil can demonstrate to the satisfaction of Planning and Development Department and the Department of Regional Programs that State campgrounds will not be impacted by construction workers, ExxonMobil shall make a donation to California State Parks for development of up to 20 new campsites to offset their worker use of these sites during the summer months. This donation shall be the State Parks estimated cost per developed campsite multiplied times the projected worker impact of up to 20 campsites. The total cost of this donation shall depend on the level of impact and shall be determined by County, in consultation with State Parks, after the first 6 months of construction and submitted to the State Parks Department. This determination shall be made using information supplied pursuant to condition X-5, and shall be based on the total number of ExxonMobil Santa Ynez Unit project workers using State Park campsites on the South Coast, averaged over the six-month period.

X-2. Low and Moderate Income Housing

To mitigate the impacts to low and moderate income housing to the South Coast area, the County will require an approved mitigation program prior to approval of the Final Development Plan. The program shall specify how adverse impacts identified through the forecasting element of the SEMP will be mitigated utilizing such measures as in-lieu financial contributions, rental subsidies and direct financing. Formulation of the program shall be consistent with the Housing Element policies and programs, on low and moderate income housing, currently being developed. The applicant will be assessed 30% of the estimated financial costs at the time of approval of the Final Development Plan. The remainder of the mitigation will be determined within the Monitoring and Mitigation Program.

X-3. Local Labor Pool

ExxonMobil shall, to the extent permissible by law, 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.

X-4. Incorporate Ventura County SEMP

ExxonMobil shall implement the plan developed jointly by the County of Ventura and ExxonMobil, as outlined below:

I. Socioeconomic Reassessment and Mitigation Program

A. Socioeconomic Reassessment and Mitigation Program shall be conducted for the ExxonMobil and cumulative projects. The Program shall include:

- a. An initial reassessment of the socioeconomic impacts of the ExxonMobil and cumulative projects on the operations, infrastructure, General Plans, land use policies, 208 Areawide Water Quality Management Plan, Air Quality Management plan, and resource programs of the County of Ventura and potentially affected cities, special districts, and school districts located therein. The reassessment shall evaluate all direct, indirect, and induced impacts. The scope-of-work and consultant selection shall be determined by the County of Ventura after consultation with ExxonMobil. ExxonMobil shall pay the consultant costs.
- b. The reassessment shall establish mitigation measures for all potential adverse project impacts identified, including but not limited to:
 - 1) General Fund Impacts

Among the measures to be identified is full compensation of forecasted budget deficits attributable to the project;

2) School Impacts

Among the measures to be identified are financing, site selection, and construction of infrastructure needs attributable to the project;

3) Affordable Housing Impacts

Among the measures to be explored are the payment of housing in-lieu fees, underwriting of mortgage costs, payment of land costs, payment of rehabilitation loans, and rent subsidy payment; and

4) Water and Sewer Supply and System Impacts

Among the measures to be identified are financing, site selection, and construction of infrastructure needs attributable to the project.

Mechanisms for funding, site selection and infrastructure provisions, and contractual relationships shall be established. The timing of the impacts and mitigation measures shall be established. The whole or shared responsibility of ExxonMobil USA and the cumulative projects shall be established. In the event that initial mitigation measures exceed identified adverse project impacts, the financial ability, mechanism, and responsibility for reimbursement from affected public agencies to ExxonMobil USA shall be established.

- c. The completed reassessment shall be certified as adequate by the County of Ventura in consultation with potentially affected cities, special districts, and school districts identified in the Reassessment.
- d. ExxonMobil shall establish a security agreement or contract satisfactory to the County of Ventura guaranteeing mitigation of identified adverse project impacts in the certified Reassessment Program (sub-paragraph 1.b. above) or the ongoing Socioeconomic Monitoring Programs in Ventura County or the Tri-Counties.
- e. Sub-paragraphs a. through d. (above) shall be completed prior to Santa Barbara County's issuance of the Land Use Permit for the Oil Treating Plant, unless such timing is waived by the Ventura County Board of Supervisors in a noticed public hearing.

2. Socioeconomic Monitoring Program

A Socioeconomic Monitoring Program (SEMP) shall be conducted for the ExxonMobil and cumulative projects, relative to Ventura County interests. The SEMP shall address and monitor all employment and expenditures associated with the ExxonMobil and cumulative projects. ExxonMobil USA shall provide full mitigation pursuant to sub-paragraphs 1.d. and 1.e (above). Implementation of the SEMP in Ventura County shall be administered in conjunction with the Ventura County Technical Advisory Committee (TAC). The composition of the TAC shall be determined during the Socioeconomic Reassessment and Mitigation Program certified by the Ventura County Board of Supervisors as part of or as an amendment to ExxonMobil's Santa Ynez Unit Project socioeconomic permit condition X-4.

3. Administrative Costs

ExxonMobil shall, on a quarterly basis, promptly and fully reimburse the County of Ventura and the Cities of San Buenaventura, Oxnard, Port Hueneme and Camarillo, for all reasonable staffing and administrative costs associated with the Socioeconomic Reassessment and Mitigation Program, and the Socioeconomic Monitoring Program.

X-5. Temporary Housing Plan

Prior to approval of the Final Development Plan, the applicant shall submit to the County Department of Regional Programs and Planning and Development Department a plan for approval which details for each quarter of construction, how the housing needs of temporary construction workers can be provided for through the private market place, without adversely impacting existing housing supplies. This plan, to be implemented by ExxonMobil, shall demonstrate how ExxonMobil plans to reduce the impacts identified through the SEMP including but not limited to the following elements:

Use of existing underutilized hotel/motel space during the months of September through May to provide for temporary living quarters for direct construction workers by year. Identification of incentives to all ExxonMobil direct construction workers such as rent subsidies and/or shuttle service to the site.

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.

Proof of reservation of housing facilities shall be submitted to the County on a semi-annual basis based on the SEMP forecast of direct worker housing needs.

ExxonMobil shall provide information, on a semi-annual basis, through the SEMP, demonstrating that the housing needs of direct construction workers are being adequately provided for through the private marketplace without adversely impacting existing housing supplies, visitor-serving facilities or the environment.

Failure to address these impacts will require mitigation over and above that listed here.

X-6. Oil-Related Job Training Programs

ExxonMobil shall agree to provide reasonable funds and/or other means of support to those local organizations who can develop oil-related job training programs. Examples of such organizations are the County of Santa Barbara Employment Training Programs, Private Industry Council, and local community colleges. Prior to approval of the Final Development Plan, the applicant shall submit to the Department of Regional Programs and Planning and Development Department a plan for contributions to such programs. The plan shall include: the type of contribution, (i.e. scholarships, dollar contributions, donation of equipment, use of facilities as training grounds, apprenticeship programs) and the number of years such contributions will be made.

X-7. DELETED

X-8. Coastal Resource Enhancement Fund

ExxonMobil shall make payments to the industry-wide Coastal Resource Enhancement Fund established for enhancement of the region to offset the impacts of increased industrial development associated with cumulative oil development in Santa Barbara County as identified in the FEIS/R.

It is recognized that given the proposed cumulative offshore oil and gas development in the Santa Barbara Channel, the impacts to recreation and tourism in the County will be adverse and significant, and that each applicant should be responsible for a pro-rata share of the cost of reducing these impacts.

The County Board of Supervisors shall determine, in a noticed public hearing, the amount of ExxonMobil's payment to the fund that is required to mitigate residual impacts. Mitigation shall not exceed \$327,400 annually for the life of the project, which is based on information contained in the FEIS/R.

X-9. Water Districts

The FEIS/R has estimated the peak-year requirements for water due to direct and indirect population growth could be as great as 350 AFY, and whereas this increased demand cannot be met in Santa Barbara County; and whereas it is felt that the applicant should be responsible for the development of alternative water supplies for the increased demand associated with the projects, and whereas the FEIS/R has identified severe water constraints in Santa Barbara, and whereas housing development is restricted in these areas due to limited water supplies, therefore;

ExxonMobil shall provide water directly to impacted water districts through approved programs, such as desalination, or make a contribution to local water development projects within the County for that proportion of water necessary to support the growth attributable to their project. This contribution shall be made to the County of Santa Barbara as trustee for the impacted Water Districts and shall be based on the estimated peak water needs as identified through the SEMP multiplied times estimated average cost per acre feet for new water projects, such as desalination, wastewater reclamation and conjunctive use projects. Whereas a District employs several different types of projects with varying costs per project, the average of the project costs to supply this additional water demand will be used to determine ExxonMobil's fee.

Where current project costs differ more than twenty percent (20%) from recent historical costs, the Water District shall fully justify the reasonableness of such increase. Thirty percent (30%) of this contribution shall be made at the time of the Final Development Plan approval if approved projects are in place or scheduled. The contribution is understood to be a one-time capital expense with subsequent operating and maintenance expenses the responsibility of water purveyors and consumers, not the applicant. Any additional need for mitigation of impacts on affected water districts shall be determined through the Socioeconomic Monitoring Program on an annual basis.

Any other user of ExxonMobil's facilities shall comply with this condition to the extent that the additional use induces additional water demand.

X-10. Notice of Construction to Commercial Fishermen

Not less than 30 days before commencing any construction activities, ExxonMobil shall give notice thereof to all commercial fishermen operating in Santa Barbara County waters with commercial licenses from the California Department of Fish and Game. Such notice shall be given in the following manner: i) by posting at the Harbor Master's offices at Santa Barbara, Ventura, Avila, and Morro Bay; (ii) by daily announcement over VHF marine radio until construction is completed; and (iii) other reasonable methods as identified by the Joint Oil/Fisheries Liaison Officer. In addition, for the Offshore Power Cable Repair & Enhancement Project, ExxonMobil shall file a timely advisory with the local U.S. Coast Guard District Office, with a copy to the Long Beach office of the State Lands Commission, for publication in the Local Notice to Mariners. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)* Prior to approval of the Final Development Plan, ExxonMobil shall demonstrate to Planning and Development Department its plans for compliance with this condition. *(Modified May 4, 1994; II-2 Review)*

Prior to and during implementation of the Offshore Power Cable Repair and Enhancement Project, ExxonMobil shall take the following steps to avoid/reduce conflicts with commercial fishermen:

1. ExxonMobil shall review design concepts and installation procedures with JOFLO to minimize impacts to commercial fishing to the maximum extent possible.
2. ExxonMobil shall keep the Joint Oil/Fisheries Liaison Office (JOFLO) in Santa Barbara abreast of construction activities as they progress during implementation of the Offshore Power Cable Repair and Enhancement Project.
3. ExxonMobil shall continue to consult with JOFLO and commercial fishermen, as appropriate, during the planning and construction stages of the project to identify and mitigate any unanticipated impacts regarding the power cable project. If the JOFLO determines that conflicts with commercial fishing operations in the SYU area develop during this project, ExxonMobil shall make all reasonable efforts to satisfactorily resolve any issues with affected fishermen. Possible resolutions may include physical modification of identified problem areas on the new cables, the establishment of temporary preclusion zones, or off-site, out-of-kind, measures. Evidence of consultations shall be provided to the MMS, SLC, SBC.
4. Prior to commencement of cable installation activities, ExxonMobil shall require the contractor to scout the nearshore conduit terminus area to determine the presence of any traps that could interfere with the cable pull operations. If any traps are found, the affected fishermen shall be contacted through JOFLO and requested to relocate the traps for the project duration. If the traps have not been moved by the time project activities are scheduled to begin, any traps that could interfere with the activities shall be relocated and then returned to the original site at the end of the work. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

X-11. Local Fishermen's Contingency Fund

ExxonMobil shall cooperate with the County, other oil companies, the fishing industry, and the Coastal Commission to participate in the Local Fishermen's Contingency Fund. This fund has been set up as a loan program to provide speedy equipment replacement for commercial fishermen in order to minimize economic loss while awaiting payment on Federal Fisherman's Contingency Fund claims and for those claims by fishermen for damage attributable to the Santa Ynez Unit project which are not covered under the federal program. The fund shall be a revolving industry-supported contingency fund. The fund shall operate to reimburse fishermen for lost/damaged gear within 15 working days of submission of reasonable claims, to minimize economic damages resulting from such gear loss/damage. Said program shall continue through the life of the project or until the utility of the program is no longer deemed valid by the County.

X-12a. Support Vessel Mooring

All support vessels and tankers for both construction and operations shall be moored according to a plan developed by ExxonMobil and approved by Planning and Development Department that minimizes disturbance to commercial fishing activities and hard bottom habitats while maintaining safety standards. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition LX-2.)*

X-12b. Adherence to Vessel Corridors

ExxonMobil shall require all construction and operations vessel transits associated with the Offshore Power Cable Repair and Enhancement Project to comply with the vessel traffic corridors established by the Joint Oil/Fisheries Committee. Inside 30 fathoms, where corridors have not been established specifically for the power cable repair project area, ExxonMobil shall establish temporary vessel traffic corridors for the duration of the project. These corridors shall be reviewed and approved by the JOFLO prior to initiation of vessel movements associated the power cable repair project. In addition, ExxonMobil shall include training on vessel traffic corridors in all pre-construction meetings with project contractors and their personnel. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

X-13. Removal of Construction Mooring Buoys and Fan Channel Supports

All construction mooring buoys shall be removed upon completion of construction, and post-construction sub-sea surveys at least 1200 feet on each side of pipeline corridors and surveys around the mooring buoys shall be conducted to locate equipment lost overboard which may preclude use of fishing gear in that area. In addition, construction sites and footprints created by the exploratory rigs shall be similarly surveyed for any debris associated with exploratory and production drilling. Results of these surveys shall be submitted to the Planning and Development Department. ExxonMobil shall make all reasonable efforts to retrieve equipment lost overboard.

In the event any fan channel support used for the Offshore Power Cable Repair and Enhancement Project escapes, ExxonMobil shall require the contractor to recover such supports prior to demobilization.

ExxonMobil shall require contractors associated with the Offshore Power Cable Repair and Enhancement Project, to the extent reasonable and feasible, to recover all items lost overboard during activities associated with the power cable repair project. Logs shall be maintained on the cable lay and support vessels that identify the date, time, location, depth, and description of all items lost overboard. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

X-14. Pipeline Shrouds; Trawl Snag Testing

All pipelines shall be designed with shrouds around protrusions and installed and tested so that they will not snag or damage trawling equipment. Structural plans and reports of trawl

snag test results will be submitted to the County Planning and Development Department for approval prior to pipeline construction. Disturbance to the ocean bottom from pipeline installation shall be minimized so as not to alter trawling activity.

X-15. Fisheries Training Program for Offshore Personnel

A Fisheries Training Program shall be mandatory for all oil and gas related support boat operators necessary to the project. ExxonMobil shall require all offshore personnel to view the Western States Petroleum Association Fisheries and Wildlife Training Program. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

X-16. Fisheries Enhancement Fund

Annual payments to the existing Fisheries Enhancement Fund aimed at the local fisheries to be administered by the County shall be made to enhance local fisheries in the Santa Barbara Channel. This contribution shall be based on the impacts as defined per year in the FEIR/S of \$133,900 per year for only the three years of construction when the impacts are greatest.

The first of these payments shall be made prior to initiation of any offshore construction activity. The second and third payments shall be made on the first and second anniversary dates of the first payment.

The above conditions on fishing shall be reviewed prior to approval of the Final Development Plan to ensure consistency and to avoid undue overlap with California Coastal Commission conditions or other negotiated settlements relative to fishing impacts. At the time of this review, any identical conditions shall be removed from this permit.

X-17. Industrial Use of Recreational Piers

The use of recreational piers for industrial purposes shall be prohibited except during emergencies unless it is demonstrated by the operator that there is no conflict with recreational uses. If recreational piers are requested to be used by ExxonMobil in an emergency situation, a reasonable landing fee will be assessed by the County Parks Department. Said fee will be used in conjunction with other funds for improvements to Goleta Beach Park.

X-18. Need for Additional Mitigation

If the Socioeconomic Monitoring Program shows that project taxes will not compensate for needed capital or operating expenditures necessary to provide project-related utilities and services, additional mitigation will be required through periodic permit review.

X-19. Santa Barbara Harbor Use Plan

Whereas it has been identified in the FEIS/R that oil and gas industry support vessels will compete for space in the limited harbor in Santa Barbara, and whereas it is desirable to maintain the percentage of space in the harbor now used for recreational and other commercial purposes, therefore:

Prior to approval of the Final Development Plan, ExxonMobil shall develop a plan for approval by the City of Santa Barbara Harbor Department which details any project-related use of harbor facilities during the lifetime of the project and the fees to be assessed for displacement of recreational space both on a permanent and temporary and/or emergency basis if such use were to take place. This plan shall be reviewed by the County so as to ensure that any fees assessed were used appropriately so as to directly mitigate the impact to recreational and other commercial users of the harbor.

X-20. Parking and Transportation Plans

Prior to approval of the Final Development Plan, ExxonMobil shall provide plans to the Department of Regional Programs and Planning and Development Department for approval demonstrating that adequate parking is available and that necessary ride-pooling and/or shuttle buses from offsite parking area(s) to the site are provided.

X-21. Traffic Mitigation Fees

In order to prevent significant cumulative degradation of the level of traffic service as a result of new development, Santa Barbara County has adopted and developed a fee program designed to generate funding for road improvements necessary to accommodate traffic from new development. As requested in the July 12, 1984 letter to the Planning Commission from the County Department of Public Works, an up-front offsite road fee will be required for all ExxonMobil and contractor workers. This fee shall be based on the projected 2-year peak average number of trips estimated in the FEIS/R and Supplements of 252 multiplied times the fee developed for the area of impact in the Goleta area of \$1300.00.

The amount of payment shall be reviewed and approved by the County Department of Transportation three months after approval of the Final Development Plan to reflect any credits associated with improvements to area roads as identified in the conditions of approval and when more information will be available on plans for parking facilities and van-pooling. Said payment will be deposited by the Road Division of the Public Works Department into the Road Improvement Trust Fund. Said payment shall be used for traffic related road improvements in the impacted areas specified in the FEIS/R and Supplements.

Funds directed to improvements in the specified areas shall be used to offset and/or reimburse any County expenses to accomplish both engineering and construction of the improvements.

If said payment has not been made within one year of approval of the Final Development Plan, the amount of said payment shall be adjusted by the amount equal to the change in the

construction cost index for the preceding year, or increased to the then current fee adopted by the Board of Supervisors, whichever most closely reflects actual costs.

X-22. Highway 101 Demand Mitigation Plan

In order to partially mitigate LOS changes on U.S. Highway 101 and Goleta area intersections, the applicant shall submit a plan to the County Department of Public Works Road Division prior to approval of the Final Development Plan which details how impacts to Level of Service on U.S. Highway 101 will be lessened. This plan shall consider: implementation of staggered shifts for onshore and offshore construction workers during the first three years of construction; scheduling of truck traffic transporting materials to and from the site to avoid peak hours of traffic; material and worker related traffic routing during construction of the cross-town freeway; preferential parking for onshore workers in the limited parking space at Las Flores Canyon for registered ride pools of three or more workers; remote parking and van-pool programs; incentives for bus and/or ride pooling.

X-23. County Review of Taxes, Revenue Sharing, and Fees

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 payment of money or other items of value by ExxonMobil to Santa Barbara County or any political subdivision thereof may be suspended pending a review by the County to determine the extent, if any, to 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. Upon a determination that any such tax, revenue sharing program or fee is in fact duplicative or unwarranted in light of the obligations created under any one or more of the conditions of this permit, then such obligations shall in any event be immediately suspended and the County shall refund to ExxonMobil the amount of any payments made since the effective date of such tax, revenue sharing program or fee.

XI. RISK MANAGEMENT PROGRAM

XI-1. Risk Mitigation

A Risk Management Program to substantially reduce the risks of project-related accidents which may result in loss of life and/or injury, and damage to property and/or the natural environment, shall be administered by the Santa Barbara County Planning and Development Department with the assistance of the System Safety and Reliability Review (SS&RR) Committee.

The SS&RR Committee consists of a representative from the County Air Pollution Control District, the County Fire Department, the Energy Division and the Building and Safety Division of the Planning and Development Department, and, on an as-needed basis, the

Office of Emergency Services and Environmental Health Services. The SS&RR Committee may employ technical consultants, as necessary, to assist their review. All reasonable costs associated with this review shall be borne by ExxonMobil. ExxonMobil shall be entitled to participate in the review process.

Pursuant to Condition II-1, ExxonMobil shall submit design and construction drawings for its pipelines (onshore and within State Tidelands), SALM and onshore facilities to the SS&RR Committee, as directed by the Director of Planning and Development Department, for hazard identification, risk assessment, and mitigation of design hazards prior to construction of each project element. ExxonMobil shall submit operational procedure documents for its pipelines (onshore and within State Tidelands), SALM and onshore facilities to the SS&RR Committee in order to identify and correct potential operational hazards prior to operation. During the hazard identification phase of this review, input from neighboring residents shall be solicited.

The SS&RR Committee shall provide timely written reports on design, construction and operations submittals to identify potential hazards. These reports shall be submitted to ExxonMobil and ExxonMobil shall be given the opportunity to address the concerns raised and revise its plans to mitigate identified hazards.

The SS&RR Committee may require mitigation of remaining hazards through adoption of additional or modified design criteria. These requirements shall be incorporated into this Development Plan as though contained fully herein. In the event of a disagreement, the SS&RR Committee may either develop alternate mitigation or request that the mitigation be required through a new or modified permit condition adopted by the Planning Commission.

The SS&RR Committee may also recommend that additional conditions be incorporated into this Development Plan, in a public hearing before the Planning Commission. *(Modified May 4, 1994; II-2 Review) (Note: Those portions of the SYU FDP permitting construction and operation of the LFCCMT were extinguished on April 1, 1994; see Condition IX-2.)*

XI-2. Risk Management Program Conditions

(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)

The Risk Management Program shall be detailed enough to ensure that all of the following conditions are incorporated in the program:

XI-2.a. Safety Inspection and Maintenance Programs

Prior to construction and prior to start-up, ExxonMobil shall submit to the Director of the Planning and Development Department detailed safety inspection and maintenance programs for all onshore and offshore (within 3 miles of shore) facilities to cover construction and operation periods, respectively. The plans shall include, but not be limited to, regular maintenance and safety inspections, corrosion monitoring and leak detection, and NGL and

sulfur truck inspections prior to loading, and NGL and sulfur truck routing. Planning and Development Department shall solicit input from potentially impacted cities in the County, as well as the SS&RR Committee, on the program. The plan shall be reviewed by the County or its consultants and ExxonMobil shall incorporate modifications approved by the County which shall eliminate identified safety problems and provide for adequate inspection and maintenance. ExxonMobil shall implement the approved plan and shall provide for County staff or its consultants involvement in all inspections.

ExxonMobil shall submit appropriate revisions to its SIMP and receive SSRRC prior to start-up of the Synergy Project. The revisions shall reflect process and design changes as well as inspection and maintenance modifications necessary as a result of the Synergy Project. *(Modified July 25, 2001; 87-DP-032 cz (RV05))*

ExxonMobil shall prepare a Safety Plan for Tunnel Cable Installation and Removal Operations that describes procedures that will be followed and safety measures that will be taken to ensure that damage to other cables and pipelines does not occur during implementation of the Offshore Power Cable Repair and Enhancement project. The plan shall include the method proposed to enable continuous monitoring of cable pull activities in the tunnel. The procedures shall identify activities during which SYU operations will be shutdown. The plan shall include a hazards study evaluation of cable installation and removal operations in the tunnel using an appropriate method (e.g., "What-If" or "Checklist"). The study shall identify potential failure modes, protection devices or systems, safety procedures and redundant safety equipment or measures (levels of protection). This Safety Plan shall be submitted to SBC at least 90 days prior to commencement of the project and to the Santa Barbara County System Safety Reliability Review Committee (SSRRC) prior to approval of the Coastal Development Permit. *(Added February 19, 2003 for the Offshore Power Cable Repair and Enhancement Project.)*

XI-2.b. Submittal of Design Specifications and Procedures

Prior to issuance of the LUP or CDP for each project component, ExxonMobil shall submit to the Director of the Planning and Development Department and the Public Works Department detailed design specifications and procedures which demonstrate mitigation of geologic hazards identified in the Final EIS/R associated with that project component. Design specifications and procedures shall address but not be limited to those measures identified in the FEIS/R and Supplements.

XI-2.c. Emergency Response Plan

Prior to start-up, ExxonMobil shall have a County-approved emergency response plan (ERP). The plan shall include emergency response procedures to be implemented by ExxonMobil for hydrogen sulfide releases nearshore and onshore, NGL and sulfur spills onsite or offsite, oil spills, and other accidental events affecting public safety and the environment. The plan shall include appropriate evacuation procedures for persons which could be directly affected

by the accidents. The plan shall be reviewed and approved by the Office of Emergency Services, the Fire Department, and the Planning and Development Department.

ExxonMobil shall demonstrate the effectiveness of the ERP by responding satisfactorily to no more than two drills each year. The drills may be called by the County at locations within the scope of the ERP. These may be surprise drills and if so, the County will provide the following to ExxonMobil:

- Written notification stating the need for the surprise drill, and
- A defined scope, objectives, and time window in which the drill may be called.

If critical operations are underway, ExxonMobil need not respond to the drill at the time but shall explain the nature of the critical operations and why response is not possible. The County may then reschedule the surprise drill. Reasonable improvements shall be implemented based on County and ExxonMobil joint review of drill performance. ERP drills shall, to the maximum extent feasible, be designed to satisfy other conditions' requirements for drills.

The plan is a dynamic document and, as such, shall be reviewed and revised when warranted, as determined by the County. *(Modified May 4, 1994; II-2 Review)*

ExxonMobil shall revise their Integrated Emergency Response Plan as appropriate to reflect the Synergy Project changes, including communications between the two control rooms and automatic shutdown systems. The revised ERP shall be submitted to the SSRRC for review and approval prior to startup. *(Modified July 25, 2001; 87-DP-032 cz (RV05).*

XI-2.d. Funding County Emergency Response Plan

In order to assure that County emergency response procedures adequately interface with the ExxonMobil emergency response procedures, ExxonMobil 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 offshore oil operators to aid in funding of the County Emergency Response Plan.

XI-2.e. Oil Spill, Hazardous Materials and Waste Management, and Refueling Plans

Prior to onshore construction, ExxonMobil shall submit an oil spill prevention control and countermeasure plan addressing onshore construction activities to the Director of the Planning and Development Department for review and approval. Prior to start-up, onshore and offshore oil spill prevention control and countermeasure plans, hazardous waste plans and toxic substance control plans addressing the operations phase shall be submitted to the Director of Planning and Development Department for review and approval. These plans shall contain appropriate procedures to interface with County Emergency Response and Hazardous Material Plans. In addition, these plans shall include measures designed

specifically to protect Corral and Las Flores Creeks, low-impact clean-up strategies for riparian and in-stream habitats, restoration procedures in accordance with condition XIV-3, procedures for protecting and/or avoiding known archaeological site areas, and demonstration of incorporation of appropriate oil spill prevention technology (as determined by the SS&RR Committee) into pipeline design. To the extent that submittals to other agencies satisfy the reasonable concerns of the County, these submittals may be used to satisfy this requirement.

For the Offshore Power Cable Repair and Enhancement Project, ExxonMobil shall prepare a project-specific Oil Spill Response Plan (OSRP) that clearly identifies the responsibilities of contractor and ExxonMobil personnel in the event of an oil spill during project implementation. This plan shall list and identify the location(s) of oil spill response equipment and response times for deployment. The plan shall be submitted to the MMS, SLC and SBC at least 60 days prior to commencement of cable installation and removal operations. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

ExxonMobil shall provide OSPR training to primary contractors and sub-contractors to ensure clear understanding of responsibilities and prompt oil spill response procedures. If any contractors are to be responsible for boom deployment, ExxonMobil shall conduct a boom deployment drill prior to commencement of power cable removal and installation operations. ExxonMobil shall notify MMS at least 72 hours before the drill to allow MMS to witness boom deployment operations. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

ExxonMobil and its contractors shall refuel all vessels involved in the offshore power cable repair project at onshore facilities (ports/piers) or according to an-agency approved refueling plan. This plan shall be submitted to MMS, SLC, and SBC for review and approval at least 60 day prior to construction commencement. There shall be no boat-to-boat fuel transfers, with the exception of skiffs on the DP lay vessel, which are only fueled when on the vessel. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XI-2.f. Crude Oil Reference Samples

Within 60 days after start-up ExxonMobil shall provide to the County Petroleum Office representative samples of SYU crude oil from ExxonMobil's SYU facilities for creation of a channel-wide "library" of reference samples of oil. These samples shall be updated annually or as needed during the drilling and production phases of the project by an independent lab or firm of the County's choice. In the event of any reported oil spill or an oil spill of unknown source suspected by the County, but for which there is probable cause in the judgment of P&D, that it resulted from offshore oil activities, then ExxonMobil shall pay a pro-rata share of the cost of sample collection and analysis. *(Modified May 4, 1994; II-2 Review)*

XI-2.g. Power Cable Repair Execution Plan

ExxonMobil shall prepare an Execution Plan describing cable removal and installation procedures in the onshore tunnel. The plan shall describe measures that will be taken to minimize the tension/stress that will be placed on cables during cable pulling operations.

Detailed plans shall be submitted to SLC and SBC at least 90 days prior to commencement of cable removal and installation operations and to the Santa Barbara County SSRRC prior to approval of the Coastal Development Permit.

ExxonMobil shall de-energize the cables and shutdown the oil and gas pipelines in the tunnel during cable pulling operations in the tunnel, unless ExxonMobil can clearly demonstrate to SBC and SLC that cable-pulling operations can be performed safely while the cables and pipelines in the tunnel are operating. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XI-2.h. Site Security Plan

Prior to approval of the Final Development Plan, ExxonMobil 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 ExxonMobil which will prevent intentional damage to onshore and offshore facilities which may result in environmental damage or public safety hazards.

XI-2.i. Fire Control/Protection Plans

Prior to approval of the Final Development Plan, ExxonMobil shall submit to the County Fire Department, for review and approval, a Fire Control Plan for ExxonMobil SYU facilities within Santa Barbara County, including the offshore portions of the marine terminal. ExxonMobil shall, at its own expense, provide the County Fire Department with reasonable new facilities, equipment, and staffing as specified in the approved Fire Control Plan.

The Fire Control Plan also shall consider the need for fire suppression reservoirs, brush clearing, alternate emergency access roadway(s), and on-site fire detection and suppression systems.

ExxonMobil shall be financially responsible for implementing all requirements of the approved Fire Control Plan.

A project-specific onshore Fire Protection Plan (FPP) shall be prepared for the power cable repair project. The plan shall be submitted to the Santa Barbara County System Safety Reliability Review Committee (SSRRC) for review and approval prior to approval of the Santa Barbara County Coastal Development Permit and shall be implemented by ExxonMobil as approved. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

ExxonMobil shall work with SBC Building and Safety to ensure that the power cable repair project complies with applicable codes and with API RP 500 and NFPA 70 (NEC) for the tunnel area. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XI-2.j. Tanker/Platform Collision Avoidance Plan

ExxonMobil shall file with the Director of the Planning and Development Department, for information only, Coast Guard approved plans, if any, to ensure that the risks of a tanker/platform collision are minimized.

XI-2.k. Oil Spill Drills

In addition to federal and state requirements for a Spill Prevention, Control, and Countermeasure Plan, ExxonMobil shall demonstrate oil spill response capability by responding to not more than two surprise oil spill drills each year which may be called by the County on the property, offshore at the marine terminal, or along Highway 101 for a simulated tanker truck spill. If critical operations are underway, ExxonMobil need not respond but shall explain the nature of the critical operations and why response is not possible.

XI-2.l. Fire Panel Investigation at Las Flores Canyon

Prior to approval of any Land Use Permits or Coastal Development Permits for marine terminal facilities (except pipelines), the need for a vessel with fire fighting capabilities at Las Flores Canyon shall be investigated by a five-member panel of experts. The panel shall be composed of the following:

- 1) Santa Barbara County Fire Department representative.
- 2) ExxonMobil representative.
- 3) ExxonMobil and the County Fire Department shall each designate one independent expert with education, training and experience in marine crude oil tanker fire prevention and suppression.
- 4) The two independent experts shall in turn designate a third independent expert with similar qualifications.

The Panel shall investigate and consider the justification for a dedicated fire protection vessel at Las Flores Canyon. If the panel decides a fire protection vessel is justified, the panel shall then decide if the vessel can be combined into a common vessel with tug, line handling, and boom deployment capabilities.

The panel shall consider safety, technical and economic evidence, as well as any other evidence the panel deems relevant. ExxonMobil shall pay the reasonable fees for the services of the three independent experts.

The panel shall make a recommendation to the Board of Supervisors and the Board shall, prior to issuance of any Land Use Permits or Coastal Development Permits for marine terminal facilities (except pipelines), make a final decision as to what marine fire protection system shall be required.

XI-2.m. Fire Protection Systems and Storage Tank Review

All new storage tanks and their fire protection systems shall be of a design reviewed by the System Safety and Reliability Review Committee and approved by the County Fire Department.

XI-2.n. Full-Time Fire Inspector Funding

Prior to operation of the marine terminal facilities, the Santa Barbara County Fire Department shall hire a full-time fire inspector to be stationed in the project vicinity. The cost of this inspector shall be pro-rated among appropriate local development projects as specified in Condition P-8, Final Permit Actions, Chevron Pt. Arguello/Gaviota Oil and Gas Development Project. Prior to such hiring, the County will define, in consultation with ExxonMobil, the specific duties of the inspector. These duties shall include, but not be limited to those specified in Chevron Condition P-8 and the following:

- Enforce fire prevention regulations applicable to the site;
- Monitor the maintenance of fire protection and firefighting equipment and process control equipment to assure proper operating conditions;
- Report monthly to the Santa Barbara County Fire Department as well as a facility employee designated by ExxonMobil in consultation with the County Fire Department.
- Coordinate with the United States Coast Guard to assure that fire protection systems and equipment onboard tankers are in proper working order, and coordinate necessary onboard inspections.

XI-2.o. Tug Availability to Tankers

Prior to operation of the marine terminal facilities, ExxonMobil shall station tugs such that they are available to a tanker as specified by the risk management program.

XI-2.p. Lighting of Onshore Range-Markers

In order to decrease the likelihood of vessel grounding, ExxonMobil shall light the onshore range-markers at night and during periods of low visibility when a tanker is making its approach, as per USCG-approved plans.

XI-2.q. Installation of Navigational Aids

In order to decrease the likelihood of vessel grounding and collisions, ExxonMobil shall, prior to operation of the marine terminal facilities, install navigation aids such as marker buoys near obstacles or shallow waters that must be avoided as per USCG approved plans. ExxonMobil shall light necessary buoys at night and during periods of low visibility.

XI-2.r. Weather Surveillance and Forecasting System

Prior to operation of the marine terminal facilities, ExxonMobil shall obtain Planning and Development Department approval of a site-specific weather surveillance and forecasting system to provide vessel masters with accurate information on weather conditions that will aid in decisions for weather-related vessel movements.

XI-2.s. Vessel Equipment and Operations Requirements

Vessels calling at ExxonMobil's facility shall be equipped with functioning compass, echo sounder, radar, doppler sonar, VHF radio, RDF, anemometer and equipment for short-range position fixing.

ExxonMobil shall ensure that all construction contractors associated with the Offshore Power Cable Repair and Enhancement Project maintain good housekeeping practices to avoid washing of lubricants or other hydrocarbons from deck into the ocean or dropping of debris overboard. All lubricating oils, hydraulic fluids, waste oils and related materials shall be stored in contained areas. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

ExxonMobil shall ensure that all materials related to the Offshore Power Cable Repair and Enhancement Project cable pulling and laying operations are loaded on the DP vessel at applicable port locations and that transfer of materials at sea is avoided to the extent feasible. No crane-lifts of materials and equipment shall be made over operating pipelines and power cables in the SYU. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XI-2.t. English Speaker on Vessel Bridge

Vessels calling at ExxonMobil's facility shall have an English-speaking person on the bridge at all times to facilitate communication with the terminal control personnel.

XI-2.u. Frequency and Purpose of Safety Audits

The ExxonMobil marine terminal operations and facilities shall be subject to initial review as per section (a) of this condition, three years after start-up, and to 5 year safety audits thereafter conducted by the System Safety and Reliability Review Committee and/or an approved third party consultant. The purpose of the review shall be to identify reasonable and feasible changes in procedures and/or equipment, and subsequently to implement appropriate best available and safest technology standards at the facility, considering the economic burdens imposed and environmental and safety benefits to be derived. All reasonable costs associated with review shall be the responsibility of ExxonMobil.

XI-2.v. Standby Oil Spill Response During Tanker Loading

ExxonMobil shall provide standby oil spill response capabilities, adequate for the risk posed by the terminal operation, aboard a vessel standing by during tanker loading operations. ExxonMobil may coordinate with Clean Seas or other such companies in satisfying this condition. To the extent feasible, this equipment may be carried aboard other support vessels required during normal operations.

XI-2.w. Responsibility for Oil Spill Clean-Up and Resource Restoration

In the event of an accidental spill of crude oil or gas products processed at facilities constructed pursuant to this Development Plan, ExxonMobil shall immediately implement the provisions of its federal, state, and County-approved spill contingency containment and clean-up plans. If any area is disturbed within Santa Barbara County, ExxonMobil will immediately restore and revegetate the area pursuant to procedures identified in the revegetation plan approved by the Director of the Planning and Development Department (Condition XIV-3). ExxonMobil shall be responsible for the cleanup of all affected coastal and onshore resources, and for the successful restoration of all affected areas and resources to pre-spill conditions. Subject to applicable law, ExxonMobil shall be responsible for cleanup of any spills caused by other parties in service to ExxonMobil at the time of the spill.

ExxonMobil shall provide the County with copies of its Certificates of Financial Responsibility related to its offshore Santa Barbara operations previously filed with the U.S. Coast Guard. Prior to operations at any proposed facilities, ExxonMobil shall demonstrate to the County that ExxonMobil and all users of its facilities are in compliance with any ordinance which requires all operators and users of marine terminals located in the County to produce evidence of sufficient financial responsibility. Demonstration of financial responsibility shall include, but not be limited to, Certificates of Insurance to the Board of Supervisors for the clean-up of oil spills or other petroleum products offshore Santa Barbara County. The Board of Supervisors shall consult with applicable State agencies, the U.S. Coast Guard, U.S. Fish and Wildlife Service and the Federal Minerals Management Service in developing such ordinance.

XI-2.x. Contribution to Study on Coastal and Marine Fire Protection and Vessel Safety

ExxonMobil shall contribute on a pro rata and equitable basis to a regional study on petroleum related coastal and marine fire protection and vessel safety. ExxonMobil shall cooperate on an equitable basis to implement any generally applicable duly enacted marine fire protection and/or vessel safety ordinance or regulation adopted by the Board of Supervisors or U.S. Coast Guard or relevant jurisdiction.

XI-3. ExxonMobil to Submit Final Process Hazard Analysis to SSRRC

ExxonMobil shall submit a Final Process Hazard Analysis (PHA) of all components of the Synergy Project to the County System Safety and Reliability Review Committee (SSRRC) for review and comment at least 60 days prior to startup. All mitigation recommendations

resulting from the PHA shall be reconciled with the final design and operating procedures and agreed to by the SSRRC.

XI-4. ExxonMobil to Submit Final Synergy Project Design To SSRRC

ExxonMobil shall provide final design deliverables that document the interdependence between the facilities (POPCO and ExxonMobil) to the SSRRC for review and comment prior to startup. The documents shall include the following:

- Final Piping and Instrumentation Diagrams (P&IDs) showing operating controls;
- Maintenance program changes for the new or modified systems;
- Process controls philosophy for POPCO and ExxonMobil Distributed Control Systems;
- Cause/Effect logic for emergency shutdown of each individual feed (or systems) in case of an upset;
- Corrosion inspection data for turndown contactor which has been out of service;
- Confirmation of the equipment sizing basis to handle increased throughput at POPCO SRU and Exxon TGPU;
- Preparation of operating and commissioning procedures; and,
- Operator training and cross training.

XI-5. ExxonMobil to Submit Final P&IDs to SSRRC

ExxonMobil shall submit final P&IDs to the SSRRC and receive SSRRC approval via an as-built check prior to startup of the ExxonMobil/POPCO Synergy project.

XI-6. Critical Operations and Curtailment Plan

ExxonMobil shall prepare a Critical Operations and Curtailment Plan for offshore cable installation and removal operations that describes weather and sea conditions that would require curtailment of operations. The plan shall be submitted to MMS, SLC, and SBC at least 60 days prior to commencement of the power cable installation and removal operations. *(Added February 19, 2003; Offshore Power Cable Repair and Enhancement Project.)*

XI-7. Cable Release Prevention Plan

ExxonMobil shall prepare and submit a Cable Release Prevention Plan which details the specific measures to be taken at all locations where a cable is suspended and could fail and fall to the ocean floor. The plan shall detail design measures, engineering measures, safety measures, and redundancy in safety equipment. The plan shall be submitted to MMS and SLC at least 90 days prior to construction and to SBC for review and comment prior to Coastal Development Permit approval. *(Added February 19, 2003; Offshore Power Cable Repair and Enhancement Project.)*

XII. AIR QUALITY PROTECTION

XII-1. Statement of Scope

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

XII-2. Authority to Construct

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

XII-3.a. Consolidation Air Quality Monitoring

Prior to approval of Final Development Plan, ExxonMobil shall file a plan with the Director of the Planning and Development Department, approved by the Air Pollution Control Officer demonstrating that no portion of the SYU Project, including but not limited to, any marine terminal facilities, construction emissions or any other constituent facilities, alone or in combination with other sources, will preclude future consolidation in Las Flores and Corral Canyons. The plan shall be based on the results of APCD approved air quality modeling of a maximum feasible consolidation plan. This consolidation plan should include at least 210 KBOD oil treating, 200 MSCFD gas treating (including stripping gas treatment plant(s)), oil storage of 1.2 MB, tanker loading at the marine terminal, construction emissions, proposed offshore platforms in Federal and state waters, marine vessels, and cogeneration facility, and shall demonstrate that these facilities will not individually or in conjunction with any other sources result in violation of any applicable air quality standard, regulation or increment. If modeling indicates that any portion of the proposed SYU project would preclude future consolidation of facilities in the Canyon at the levels expressed above, no portion of the project as described herein shall be constructed until additional mitigation measures or changes are included in the project design such that planned consolidation of facilities are no longer projected to cause non-compliance with any of the provisions of this condition. Any air quality modeling required to meet this condition shall be approved by the Director of the Planning and Development Department and the County Air Pollution Control Officer. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

XII-3.b. NO_x and HC Mitigations and Compliance with AQAP

Prior to approval of the Final Development Plan, ExxonMobil shall demonstrate to the County and APCD that all NO_x and HC emissions associated with the construction and operation of the ExxonMobil SYU project, to the extent they adversely affect onshore air quality (including emissions from platforms, tankers, crew and supply boats and onshore facilities), are fully mitigated and allowable emissions (as defined at 40 CFR 51.165.a.1) both onshore and in State waters are offset as applicable according to APCD rules so as to

maintain compliance with the reasonable further progress provisions of the Santa Barbara County Air Quality Attainment Plan and result in a net air quality benefit to the County. Total offsets for operations shall be equal to or greater than entire source emissions including OCS sources.

XII-4. Facility Shall Emit No Detectable Odor

All facilities shall be designed, constructed, operated and maintained such that no odor from facilities approved under this Development Plan shall be detectable at any point along or outside the exterior boundary of the ExxonMobil property.

XII-5. Construction Curtailment Plan

Prior to approval of the Final Development Plan, ExxonMobil shall submit to the Director of the Planning and Development Department, the Planning Commission, and the Air Pollution Control Officer for approval a plan to mitigate construction air quality impacts to the maximum extent feasible. The Plan shall discuss the following mitigation measures contained in the EIS/EIR and Supplements:

- Phase onshore and tidelands construction activities;

- Schedule peak construction emissions to occur during the non-ozone season as determined by the Air Pollution Control Officer;

- Minimize peak NO_x emissions through reduction of intensity of diesel construction equipment activities in each active construction area;

- Use construction equipment with lower NO_x emissions than those contained in publication AP-42 and used to assess construction impacts;

- Control the area to be worked on each day to minimize unnecessary disturbance and reduce dust formation;

- Restrict public access to areas immediately southwest of ExxonMobil's property where exceedances have been predicted;

- Obtain NO_x and hydrocarbon offsets from other sources in the area approaching the peak quarterly offsets required for the project's operations phase.

ExxonMobil shall fund a program to test the feasibility and/or effectiveness of emissions reduction measures applicable to construction or other mobile sources.

In addition to the measures above, ExxonMobil shall develop a curtailment plan to be approved by the Air Pollution Control Officer for construction activities within APCD jurisdiction and filed with the Director of the Planning and Development Department prior to

issuance of the Land Use Permit for grading. At any time, if onshore air quality monitors within the jurisdiction of the APCD, as determined by APCD, indicate an imminent violation of any applicable air quality standard or regulation, ExxonMobil shall implement the appropriate air pollution curtailment plan as directed by the Air Pollution Control Officer.

XII-6. Ambient Air Quality Monitoring Stations

ExxonMobil shall install and initiate operations of air quality monitoring stations in numbers and locations as specified by the Air Pollution Control Officer prior to any activities being conducted under any land use permits issued for this project. These monitors shall be installed to examine onshore effects of: tanker loading emissions, Las Flores Canyon facilities emissions, acid fog on nearby agricultural operations and humans, and regional ozone impacts and shall be equipped with remote high level alarms and recorders. ExxonMobil shall install telemetry or modem connections and terminals within the offices of the Air Pollution Control District such that ambient air quality levels can be monitored at the APCD.

ExxonMobil shall provide funds to the District or a designated agent within thirty (30) days of receipt of a written request for same, for a pro-rata share of the costs incurred by the District for the purchase, installation, operation and maintenance of a central data acquisition system to be located at the District office. The central data acquisition system will be designed to handle anticipated incoming monitoring data from this project and other proposed oil and gas projects. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

XII-7. Air Pollution Episode Plan

Prior to approval of the Land Use Permit for the Oil Processing Facility construction, ExxonMobil shall file with the Director of the Planning and Development Department, an air pollution episode plan for the operations phase of the project which has been approved by the Air Pollution Control Officer. The plan should address both regional ozone levels and local inert pollutant concentrations as required by the APCD regulations. The plan shall describe procedures ExxonMobil shall take to reduce emissions during an air pollution episode as defined by APCD Rule 602.B.1. The episode plan shall cover sources only within the jurisdiction of the APCD and shall be prepared consistent with the requirements of APCD Rule 603.

XII-8. Implementation of Curtailment Plan

ExxonMobil shall implement mitigation measures for reducing operations phase inert pollutant emissions as follows:

Do not test-fire platform and onshore diesel standby engines when a tanker is moored at the SALM;

Do not load tankers when marine terminal vapor balance-line is not operating pursuant to Condition XII-9;

Use District-approved Inspection and Maintenance Program to limit fugitive HC emissions from valves, pumps, compressors, and other process components for onshore and offshore (excluding OCS) facilities;

Use 41 or 52 KDWT steam driven tankers, or emissions equivalent vessels. Vessels with lesser or equivalent emissions for all pollutants than those vessels shown as acceptable in the above referenced documents are allowed as well. Other vessels may be allowed if approved by the County Planning Commission as in substantial conformance based on APCD approved modeling which shows no standards violations;

Reduce tanker emissions through any or all of the following measures: hull modifications (such as increased efficiency of propellers or low friction hull coatings), on-board power plant modifications (such as low NO_x burners), and modifications of vessel operations (such as lower vessel speeds in state waters);

Installation of feasible controls on onshore facilities to minimize emissions of particulate matter during production to the extent these controls do not substantially increase NO_x or RHC emissions;

Support vessels will use 0.25 percent or lower sulfur fuel while in waters off the coast of Santa Barbara County. Tankers using the marine terminal will use 0.25 percent or lower sulfur fuel in waters off the coast of Santa Barbara County and shoreward of the vessel separation corridors;

Achieve feasible NO_x reductions on crew, supply and assist boats (through such techniques as injection timing retard, seawater intercooled turbochargers, and alternative fuels use or other methods demonstrated in relevant studies) so that emissions are no greater than 9.0 grams of NO_x per horsepower-hour at full power;

To the extent feasible use helicopters instead of crewboats for standard operations;

Optimize vessel use to reduce emissions;

Do not allow two tankers utilizing the terminal to operate simultaneously within APCD jurisdiction.

ExxonMobil shall demonstrate compliance with this condition through a plan required prior to approval of the Final Development Plan. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

XII-9. Vapor Control System

To mitigate significant impacts identified in the 1986 Supplement to #83-EIR-22, the marine terminal shall include and utilize a vapor control system to reduce marine vessel loading and storage tank emissions to a level such that the total hydrocarbons emitted by the system remains below the level (4.71 pounds per hour) in the worst case hour and which has been offset according to the Authority to Construct permit. Because the control efficiency assumed in the SEIR has not been demonstrated in practice, verification of the efficiency and actual emission rate of the system (including vapor collection, recovery and combustion) must be demonstrated during the initial tanker loading operations using a combination of source testing and/or tracer gas analyses as approved by the District. The procedures used to demonstrate the vapor control system efficiency must be approved by the APCD prior to the first tanker loading. The demonstration program will be of sufficient duration as determined by the APCD to demonstrate that the system can operate in compliance with the claimed control of 99.8 percent efficiency in ExxonMobil's Revised Preliminary Development Plan.

The vapor control system, including pressure/vacuum valves, loading and return lines, and other potential sources of emissions, shall be inspected for proper operation prior to each loading. An orderly shutdown of loading operations shall commence if the vapor control system fails to operate at the level described above, unless necessary variances have been, or an emergency variance can be, obtained from the District Hearing Board. Efficiency of the system shall be demonstrated to the reasonable satisfaction of the APCD each quarter using a combination of continuous emissions monitors, source tests, and/or tracer gas analyses. Quarterly inspection reports will be provided to the APCD within 30 days after the end of each calendar quarter.

If the District determines, based on results from quarterly system efficiency demonstrations, that the system is operating at the required efficiency, the District may reduce the required inspection frequency to semi-annual or annual basis. If ExxonMobil is unable to demonstrate the continuous operation of the vapor control system at the levels described above, ExxonMobil shall provide offsets for the increased emissions determined by the APCD through the testing described above. More than three variances in any 90-day period, or the granting of variances for ten operation-days within any 90 day period, shall constitute a rebuttable presumption of failure to operate the vapor control system at the required level.

In the event of the occurrence described above, ExxonMobil shall apply to the APCD Hearing Board for a determination whether the vapor control system can reasonably be expected to operate at the claimed efficiency level (99.8%) for the next quarterly period. The Hearing Board's determination shall be reviewed by the Director of the Planning and Development Department, and shall be presented to the Planning Commission upon the Commission's request. The Hearing Board's determination shall be considered as evidence in any decision as to whether additional mitigations should be required. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

XII-10. DELETED

XII-11. Validation Information

Prior to approval of the Final Development Plan, and within 45 days after the end of each semi-annual period during operations, ExxonMobil shall submit to the Department of Resource Management and APCD written statements certifying the type and size of tankers and support boats used in SYU operations during the previous 6 months and estimates of the anticipated use during the next 6 months. The information shall also include the estimated operating schedules, frequency and duration of port calls and other information as required by APCD to the extent permitted by law, to validate the accuracy of project data used in the 1986 Supplement to #83-EIR-22 air emissions modeling and used as the basis of permit issuance. 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 1986 Supplement to #83-EIR-22, the APCD and County shall modify air quality permit conditions as necessary to assure consistency with the Air Quality Attainment Plan, Reasonable Further Progress goals and APCD rules or regulations. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

XII-12. DELETED

XII-13. DELETED

XII-14. DELETED

XII-15. DELETED

XII-16. Demonstration of Monitoring Devices and Records to the APCD

ExxonMobil shall include adequate facilities monitoring devices and shall keep adequate records and shall demonstrate to the satisfaction of the APCD that the project within APCD jurisdiction is being operated consistent with the emissions assumptions in the 1986 Supplement to 83-EIR-22. The number and types of monitoring devices and the reporting format, contents, and timing of these submittals shall be approved by the APCD prior to issuance of the Land Use Permit for construction of the oil processing facilities.

XII-17. Air Quality Standards Compliance Plan

Prior to approval of the Final Development Plan, ExxonMobil shall submit a plan to the Planning and Development Department, approved by the APCD, which demonstrates, using APCD approved methodology, that emissions due to operation or dismantling of the OS&T and SALM, in conjunction with project emissions and other existing source emissions, do not result in the violation of any air quality standard or entire increment as defined in APCD Rule 205(c), and do not interfere with reasonable further progress toward attainment of air quality

standards. To the extent that simultaneous emissions occur from OS&T and SYU onshore oil and gas processing and marine terminal facilities beyond 90 days after initial start-up of those facilities, unless appropriate variance(s) can be obtained from APCD Hearing Board, adequate offsets and/or mitigations shall be provided for the increased emissions due to these simultaneous operations. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

XII-18. Air Quality Required Offsets

All permitted emissions of ROC and SO_x in ATC #10351 (ExxonMobil/POPCO Synergy Project) are required to be fully offset at a minimum ratio of 1.2 to 1.0 and to show a net air quality benefit according to APCD Rules and Regulations. The project also implements Best Available Control Technology (BACT) on all existing and proposed emission units. MONITORING: The offsets and use of BACT would be enforced through the APCD permit conditions. BACT would consist of (a) the use of a low-NO_x burner and thermal DeNox for the waste gas incinerator and (b) the use of low emission valves and tighter leak standards (100 ppmv) for piping components in reactive organic hydrocarbon service.

XII-19. Dust Generation Control

Dust generated by onshore construction or other development activities shall be kept to a minimum with a goal of retaining dust on site. The dust control measures listed below shall be followed.

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During onshore construction of the Synergy Project and/or the OPSR:A Project, water trucks shall be used as necessary to keep all areas of vehicle movement damp enough to minimize dust 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 conveyed to all applicable contractors in construction contracts.

MONITORING: EQAP monitor to spot check in the field.

(Modified February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)

In addition to all other applicable conditions of the SYU FDP, the following new air quality permit conditions (XII-20 – XII-24) apply specifically to the implementation of the Power Cable Project as approved by Santa Barbara County on February 19, 2003.

XII-20. Emissions Reporting Plan

ExxonMobil shall implement the OPSR:A Project in accordance with the provisions of the Emissions Reporting Plan and any subsequent approved modification to the plan. This plan shall provide detailed information regarding the internal combustion engines used, the duration of their use, the fuel consumed, and the calculated emissions. The plan shall be submitted to the RS, ODOS and SBCAPCD, for review and approval 60 days prior to commencement of cable laying activities.

The plan shall limit the potential to emit of the equipment on the DP Lay vessel used for the installation of the power cables at the SYU stationary source to less than 25 tons per year of any affected pollutant during any consecutive 12-month period. The plan shall include limitations on the DP Lay vessel equipment use as well as the project duration to demonstrate that the Potential to Emit for the DP Lay vessel will be below 25 tons per year.

The plan shall also limit the combined actual emissions from all construction equipment used in the installation of the power cables at the SYU stationary source to less than 25 tons of any pollutant, except carbon monoxide, in a 12 month period. The plan shall include detailed information on the engines used and methods to measure fuel consumption to demonstrate that the actual emissions for the project will be below 25 tons per year.

MONITORING: The Emissions Reporting Plan shall be submitted to and reviewed by the MMS and SBCAPCD.

XII-21. Fuel Use Summary

Determine, on a daily basis, fuel use and emissions from the installation of the power cable when within 25 miles of SYU. At the conclusion of the project, the applicant shall prepare and submit a summary of the daily and total fuel use and emissions associated with the project to verify compliance with SBCAPCD rules and regulations and SYU and project specific permit conditions.

MONITORING: The Fuel Use Summary shall be submitted to the MMS and SBCAPCD for review.

XII-22. Fuel Sulfur Requirement

Require construction vessel and other associated IC engines to comply with the SYU PTO condition (i.e. Platform Harmony 9.C.5(b)(viii)) by using fuel with less than 0.2% sulfur by weight when operating within Santa Barbara County.

MONITORING: The sulfur content of fuel shall be monitored by the MMS and SBCAPCD.

XII-23. Innovative Technology Fund

The applicant shall contribute financial support to the SBCAPCD Innovative Technology Fund to compensate for any emission potential over 240 lbs. NOx per day associated with the retrieval of failed Cable C to the shelf break.

MONITORING: The SBCAPCD shall monitor emissions potential and require contribution from ExxonMobil as appropriate.

XII-24. Emissions Contingency Plan

ExxonMobil shall prepare a contingency plan prior to power cable installation for the scenario where the total project emissions of any affected pollutant, except CO, is projected to exceed 80% of the above 25 ton/year limit. This plan shall identify potential measures that could be implemented by the contractors to reduce, defer or eliminate emissions without adversely impacting safety or completion of the project. In addition, daily fuel use with pollutants emitted to date and projected toward project completion shall be provided to MMS and the SBCAPCD.

XIII. CULTURAL RESOURCES MANAGEMENT

XIII-1. Cultural Resources Mitigation Plan

Prior to initiation of construction, ExxonMobil shall file with the Director of the Planning and Development Department (P&D), a Cultural Resources Management Plan, approved by the Planning and Development Department and the State Office of Historic Preservation. The plan shall meet the requirements of 36 CFR Parts 60 and 800, Appendix K of CEQA, and the County Prehistoric Archaeological Guidelines and shall include those mitigations identified in the project FEIS/R and Supplements. Implementation of the Plan shall proceed on an expeditious and effective schedule in order to avoid or minimize conflicts with other construction scheduling requirements delineated in other permit conditions contained herein.

The main components of the Cultural Resources Management Plan shall include:

- a. Procedures for avoidance of known sites wherever feasible and 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 and other established regulatory requirements and, where necessary, will recommend appropriate data recovery as a mitigation measure. Additional subsurface sampling (use of shovel test pits) shall be used in defined sensitive areas which will be affected by project construction to confirm the presence/absence of previously unknown (undiscovered) sites. Any new sites found shall be treated as per this condition. In any case, subsurface testing shall be performed in the Fire Pit site identified in the FEIS/R and Supplements.

- b. Following the determination of site importance, ExxonMobil shall inform the Planning and Development Department of the methods to be used for significant site avoidance. For those significant sites not avoided, the consulting archaeologist shall, in consultation with the Native American community, prepare site-specific mitigation (excavation/data recovery) plans in accordance with applicable state, federal and/or County guidelines;
- c. Implementation and completion of the field work aspects of the site-specific mitigation plans prior to construction in the vicinity of the resource.
- d. Demonstration of ExxonMobil's commitment to implement all required mitigation measures, including those developed through continued consultation with Native American representatives and the County.
- e. Provisions for participation of the archaeologist selected as per condition XIII-2 below and adequate Native American representation throughout any excavation or construction-related disturbance activities, recovery of sites, and disposition of artifacts.
- f. Procedures that demonstrate, to the satisfaction of the Planning and Development Department and the archaeologist identified through condition XIII-2 below, that the potential impacts associated with capping site SBa-1733 and the Ortega Adobe site with 12 feet of fill will mitigate impacts to these cultural resources to the maximum extent feasible. These procedures shall consider, at a minimum, the use of archaeologically sterile soil for capping and the use of contrasting buffers (i.e., a layer of soil darker or lighter than the fill material) to identify the existing ground level to facilitate future research efforts.

All testing and mitigation costs shall be funded by ExxonMobil. All construction activity shall be performed in accordance with the approved plan.

XIII-2. Archaeologist on As-Needed Basis

Prior to initiation of construction-related activities, a qualified archaeologist shall be approved by the County Planning and Development Department, in consultation with Native American Representatives. If feasible, the archaeologist's services shall be incorporated into the EQAP, as detailed in condition III-1 to avoid duplication of effort. The archaeologist shall be available on an as-needed basis through the completion of construction activities. The archaeologist shall be funded by ExxonMobil and shall be responsible to the County Planning and Development Department as outlined in the EQAP. Compensation shall cover all excavation, analysis, and report preparation for all areas investigated, including those found during construction.

XIII-3. Pipeline Contractors and Native American Consultants Workshop

Prior to pipeline installation activities, ExxonMobil 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.

XIII-4.Curation and Ownership of Non-Burial Associated Artifacts

If non-burial associated cultural resource artifacts are recovered during construction (the location of such artifacts being unknown prior to construction), the curation of the artifacts shall be carried out as per approved County guidelines. Upon the determination of the origin of the materials, the Native American Community shall have the first option for ownership of the artifacts.

XIII-5.Burials

If burials or burial associated artifacts are found during construction (that were unknown prior to excavation) and cannot be avoided, further excavation or disturbance in the area of the resource shall be suspended. ExxonMobil, in conjunction with the Native American representatives and the Planning and Development Department, shall adhere to the guidelines in CEQA Appendix K and the County Archaeological Guidelines prior to continued construction activity in the area of the resource.

XIII-6.Funding for Chumash

Prior to approval of the Final Development Plan, ExxonMobil shall agree to contribute necessary funds to programs developed by affected Chumash bands in consultation with the County archaeologist and approved by the Planning and Development Department, which lessen unavoidable, significant impacts to cultural resources due to the Santa Ynez Unit project. Funding shall be determined jointly by ExxonMobil, the Planning and Development Department, and those affected Chumash bands. Should ExxonMobil wish to receive credit for funds paid to Chumash bands by any other mechanism, (e.g., monitoring, curation, etc.), or funds spent on alternative mitigations, the Planning and Development Department in consultation with affected Chumash bands, must find prior to approval of such credit that such funds are being used to lessen unavoidable, significant impacts to cultural resources. The contribution shall be made no later than at the completion of site development.

XIII-7.Additional Cultural Resource Mitigation Measures

In addition to the onshore cultural resource mitigation measures identified above, the following measures shall be implemented for the Offshore Power Cable Repair and Enhancement Project;

1. All onshore construction plans shall clearly state that excavation shall be limited to 5 feet below ground surface and to 3 feet below the cable entry point at the tunnel north wall for a distance of approximately 25 feet north of the wall. Evidence of compliance with this mitigation measure shall be documented prior to land use clearance and monitored by the County's EQAP Monitor or County Staff in the field.

2. If potential cultural material is encountered during excavation, work shall be halted until a Planning and Development-qualified archaeologist and Native American representative are consulted. Protection of archaeologically significant material shall be in accordance with County Guidelines.
3. A pre-construction meeting shall be organized to educate onsite construction personnel as to the sensitivity of archaeological resources in the area. ExxonMobil personnel shall instruct all construction and project personnel to avoid removing cultural materials from the property. Evidence of compliance with this mitigation measure shall be documented prior to land use clearance. Agency personnel shall be invited to attend the meeting.

XIII-8. Offshore Cultural Resource Mitigation Measures

As part of the project description for the Offshore Power Cable Repair and Enhancement Project, Exxon has agreed to implement the following measures to protect potential offshore cultural resources during cable removal and installation procedures:

1. Require contractors to avoid potential *offshore* cultural resources by a 300 feet (90 m) radius to the extent possible during all offshore construction activities. This protective zone is to account for routine uncertainties in using remote sensors to precisely locate potential cultural resources in deep waters.
2. Provide all vessel operators working in these areas with the coordinates of the probable location of the potential sites and instruct them to remain outside of the 300 feet (90 m) protective zone. If complete avoidance of the zone is not possible, further investigations of the affected zone may be conducted through more intensive geophysical field surveys or ROV inspection. If further study indicates that the affected location is the remains of a shipwreck, the significance of the resource would be evaluated, and a mitigation plan would be developed, if appropriate.
3. Include a review of avoidance procedures for the cultural resource areas during the pre-construction environmental compliance meeting.
4. Utilize an ROV to monitor installation activities during cable laying operations in the areas of potential cultural resources. The ROV would allow real time monitoring and detection of potential cultural resources. If a potential cultural resource site is encountered during cable placement and removal operations, the operator would immediately notify the MMS.
5. The applicant shall immediately halt cable laying operations if a previously undetected cultural resource site that could be impacted by ongoing operations is discovered. After the applicant has notified MMS of the discovery, if investigations determine that the resource is significant, MMS shall inform the operator how to protect the resource.
6. ExxonMobil shall use an ROV equipped with a color-imaging sonar with a range of at least 300 feet (90 m) radius in polar-scanning mode to monitor cable placement and

removal activities in the area of potential cultural resource no. 3. If a previously undetected resource site is discovered, then # 8, below applies. In the event that the cable needs to be laid outside of the previously surveyed area, ExxonMobil shall use the ROV to identify potential cultural resources prior to installation. If a previously undetected resource site is discovered, then #8, below applies. ExxonMobil shall arrange for responsible agencies to attend a meeting with the cablelaying contractor ship's captain to review cultural site avoidance procedures prior to commencing cablelaying activities.

7. The MMS and/or SLC retain the option for inspectors to be present on a vessel at the sites to ensure that proper cablelaying and removal procedures are conducted.
8. If a previously undetected resource site is discovered, the applicant shall immediately notify MMS and California State Lands Commission and avoid the site. If the resource site is unavoidable, the applicant shall immediately halt cablelay or removal operations and perform an investigation, according to MMS/SLC instructions, to assess whether the site is significant. If the site is significant, the MMS/CSLC shall inform the applicant how to protect the resource. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XIV. BIOLOGICAL AND VEGETATION PROTECTION

XIV-1. Pre-Construction Baseline Survey and Post-Construction Survey

Prior to issuance of the Final Development Plan, qualified biologist(s) selected by and under contract to the County shall, at ExxonMobil's expense, perform a baseline survey of the areas of the property outside of the construction zones defined on a plan approved by the County Director of Planning and Development Department, to determine the pre-construction condition of the flora, fauna and habitats on the property. The kelp beds in the vicinity of the ocean outfall shall be evaluated through current and historical records, including aerial photographs. The biologist shall submit to the Director of the Planning and Development Department and to ExxonMobil a written report describing baseline conditions, with aerial photographs.

After construction and prior to operation of the facilities, a second survey will be conducted at ExxonMobil's expense, to determine the then existing condition of the flora, fauna, and habitats (including kelp beds). Aerial photography, including stereo color and infra-red, shall be required at this time. Another report, similar in content to the pre-construction report, shall be submitted to the Director of the Planning and Development Department and to ExxonMobil, describing any changes in natural conditions and identifying reasonable measures including feasible mitigation measures listed in the FEIS/R and Supplements, and considering a natural recovery period, to repair or reduce any damage which has been caused by construction. ExxonMobil shall implement reasonable measures as directed by the Director of the Planning and Development Department.

During operation, annual surveys, including stereo color and infra-red photography when requested, shall be conducted and reports and photographs shall be submitted to the Director of the Planning and Development Department until temporarily suspended or deemed no longer necessary by the Director of the Planning and Development Department. Sensitive air pollution indicator species shall be used as deemed necessary.

Prior to start-up, ExxonMobil shall obtain Planning and Development Department approval of a plan describing the format, content, procedures, and scheduling of the operational surveys and reports described above. This plan shall include provisions for requiring other users of ExxonMobil's facilities or property in the canyon to contribute to the costs of the studies.

Prior to any power cable installation work adjacent to the conduit, ExxonMobil shall perform a pre-installation marine biological survey of the nearshore project area. The scope and methodology of the survey shall be submitted for review and approval to MMS, SLC, SBC CDFG and NMFS prior to implementation. Preliminary survey results shall be submitted to agencies within 2 weeks of completion of the pre-installation survey. A final report shall be submitted to the responsible agencies within 30 days of completion of the pre-installation survey. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

ExxonMobil shall, within 90-days of the completion of the Offshore Power Cable Repair Project, conduct a post-installation marine biological survey to identify any impacts to the nearshore area that could have resulted from construction activity. The scope and methodology of the survey shall be submitted for review and approval to MMS, SLC, SBC CDFG and NMFS prior to implementation. Preliminary survey results shall be submitted to agencies within 30 days of completion of the post-installation survey. Final report shall be submitted within 60 days of completion of the post-installation survey. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XIV-2. Corral Creek Buffer Zone

Prior to approval of the Final Development Plan, ExxonMobil shall, in consultation with the State Department of Fish and Game, the California Regional Water Quality Control Board, and the Director of the Planning and Development Department, establish a buffer zone along Corral Creek in order to protect the biological productivity and water quality of the stream. The buffer zone shall include all riparian vegetation and shall be established in consideration of soil type and stability, how surface water filters into the ground, slope adjacent to the stream, and location of the 100-year flood plain boundary.

This buffer zone shall constitute a minimum setback from Corral Creek within which no development, other than roads, pipeline crossings and drainage structures shall occur. During construction, this area shall be fenced to prevent disturbance.

XIV-3. Revegetation, Weed Control, and Erosion Control Plan

Prior to approval of the Final Development Plan, ExxonMobil shall obtain Planning and Development Department approval of a Revegetation, Weed Control and Erosion Control Plan, which implements the procedures identified in the FEIS/R and Supplements, and includes:

- a) Provisions to minimize Santa Ynez Unit project impacts to riparian, oak woodland, and chaparral vegetation particularly at the Corral Creek crossings and above the Vaqueros/Rincon contact;
- b) Provisions to revegetate all temporarily disturbed areas, using locally obtained native plant material obtained from the area being revegetated or immediately adjacent to this area;
- c) Provisions to restore riparian habitat areas which have been permanently changed to another use as a result of the project on a two-to-one ratio based on area, either onsite or offsite;
- d) Procedures for replacing all trees necessarily removed due to the Santa Ynez Unit project development with similar plants propagated from the plants removed, or those of the same species that are immediately adjacent to these plants;
- e) Implementation, maintenance and monitoring procedures and schedules;
- f) Criteria for assessing successful revegetation and restoration efforts.

The plan submitted prior to approval of the Final Development Plan need not include great detail on the items listed above, but must include a schedule for compliance with the more detailed aspects of the plan.

XIV-4. Determination of Additional Mitigation Measures by Planning and Development Department

At any time, if the Director of the Planning and Development Department determines that additional reasonable measures should be taken by ExxonMobil to mitigate significant avoidable detrimental effects to the flora and fauna of the property, ExxonMobil shall, at its own expense, implement those measures.

XIV-5. Creek Road Crossings - Fish and Wildlife Movement

Corral Creek and Las Flores Creek road crossings shall provide for wildlife movements along the creek. The crossings shall also provide for fish movements if deemed necessary by the California Department of Fish and Game. *(Modified December 3, 1994)*

XIV-6. Additional Block Valves at Creek Crossings

Additional block valves at stream crossings shall be installed as deemed necessary by the Director of the Planning and Development Department and the SS&RR Committee on the basis of the FEIS/R and Supplements analyses.

XIV-7a. Marine Biology Impact Reduction Plan

Prior to approval of any Coastal Development Permits for nearshore or offshore activities, ExxonMobil shall submit and obtain approval of a site-specific Marine Biology Impact Reduction Plan to mitigate impacts to biologically important marine resources due to offshore construction as identified in the FEIS/R and supplements. The plan shall be approved by a committee consisting of representatives from the California Coastal Commission, the California Department of Fish and Game and the County Planning and Development Department.

The plan shall consist of procedures to determine the location of important biological resources, such as hard bottom habitats, and options to avoid these resources, including minimizing construction corridor width and bundling of pipelines. It shall also include measures designed to minimize turbidity and its associated impacts. The plan shall also include a construction schedule designed to avoid harbor seal breeding, whale migration, and critical kelp harvest seasons.

Based on the Marine Biology Impact Reduction Plan, the County may require ExxonMobil to perform a post-construction survey to determine the actual impact of construction on marine resources. The survey would be specific to those areas where particular habitats were to be avoided during construction, as detailed in the Marine Biology Impact Reduction Plan. Side-scan sonar surveys would be accepted for this purpose unless the areas to be investigated render such surveys inappropriate. If required, the results of this survey shall be submitted to the Planning and Development Department within one year of the completion of offshore construction activities.

Should the post-construction survey be required, compensation may be deemed necessary to mitigate impacts resulting from construction activities which are over and above those anticipated by the Marine Biology Impact Reduction Plan. The compensation, if required, shall be determined by the County upon consultation with the California Coastal Commission and the California Department of Fish and Game based upon the results of the post-construction survey.

XIV-7b. Marine Mammal Monitoring Plan

ExxonMobil shall implement an agency-approved Marine Mammal Monitoring Plan (MMMP) during cable retrieval and installation activities. The MMMP shall include the following elements:

1. A minimum of two NMFS-qualified marine mammal observers shall be located on the cable-lay vessel to conduct observations, with at least one observer on duty during all cable-laying activities.

2. Shipboard observers shall fax a daily sighting report to NMFS and MMS. This report shall be used to determine whether observable effects to marine mammals are occurring.
3. The observers shall have the appropriate safety and monitoring equipment to conduct their activities (including night-vision equipment).
4. The observers shall set a 1,640-ft (500-m) hazard zone around the cable-lay vessel for the protection of large marine mammals (i.e., whales) and shall have the authority to stop any activity if it appears likely that a whale could enter the hazard zone.
5. ExxonMobil shall immediately contact the Santa Barbara Marine Mammal Center for assistance should a marine mammal be observed to be in distress. In the event that a whale becomes entangled in any cables or lines, the observer shall notify the Santa Barbara Marine Mammal Center and required agencies, so appropriate response measures can be implemented. Similarly, if any take involving harassment or harm to a marine mammal occurs, the observer shall immediately notify the required regulatory agencies.
6. The vessel captain shall have the final authority on vessel operations to ensure the safety of the vessel, its equipment, and the people on board and shall cooperate with the observers to minimize the potential for damage to marine mammals or the environment. The vessel captain and ExxonMobil project management shall be responsible for ensuring that the OPSR MMMP is implemented.
7. A report summarizing the results of the monitoring activities shall be completed within 90 days following completion of these activities and submitted to the required agencies (NMFS, MMS, SLC, CCC, and SBC).

The MMMP shall be submitted for review and approval to MMS and SLC at least 60 days prior to commencement of construction activities and to SBC prior to approval of the Coastal Development Permit.

XIV-8. Vessel Corridor Marking Plan

Prior to approval of the Final Development Plan, ExxonMobil shall submit to the Planning and Development Department for approval a plan for marking corridors through the kelp beds and fishing areas in the vicinity of any piers or fishing grounds in Santa Barbara County to be used during the construction and operation phases of the project. Size of the corridors shall be minimized to reduce kelp and fishing area impacts. Any project related boat using these piers shall use the corridors to cross the kelp beds and fishing areas. This plan shall be prepared in conjunction with and in compliance with an overall industry-wide offshore oil service vessel traffic lane program with monitoring via the Oil/Fisheries Liaison Office.

ExxonMobil shall cooperate with the Santa Barbara Channel Vessel Traffic Corridor program as set forth by the Joint Committee of oil industries and commercial fisheries representatives. The corridors shall be reduced to 150 ft. in width through historical kelp bed resource areas as identified in the FEIS/R. ExxonMobil shall demonstrate, upon demand from the County, that the beds beyond the 150-foot corridor remain intact. County may impose additional restrictions on vessel traffic to protect the kelp beds, if the corridor is not maintained.

XIV-9. Construction Corridor Limits

ExxonMobil shall limit the width of the construction disturbance corridor through all riparian habitats to the extent feasible. In Environmentally Sensitive Habitats or other areas where trees or other habitats, including but not limited to lower Corral Creek, are to be avoided within the approved corridor, ExxonMobil shall ensure contractor compliance with this condition by marking and/or fencing those areas to be avoided. All vehicular traffic, storage of equipment and excessive foot traffic associated with construction within the sensitive habitat but outside the ROW shall be prohibited, except for ingress and egress along the access road. 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. Where tree removal is unavoidable, ExxonMobil shall implement the procedures under the supervision of the monitoring biologist.

XIV-10. Prevention of Livestock in Riparian Corridors

ExxonMobil shall prevent domestic livestock from entering the riparian corridors on ExxonMobil property, except at necessary designated crossings.

XIV-11. Above-Ground Pipeline Assessment

In order to reduce biological impacts to riparian trees and stream biota, ExxonMobil shall submit to the Planning and Development Department for approval prior to issuance of any Land Use Permits or Coastal Development Permits for pipeline construction an assessment of the advantages and disadvantages of installing all pipelines above-ground between Corral Creek crossings #2 and #3, as identified in the FEIS/R and Supplements. The pipeline corridor width shall be minimized through the use of techniques such as stacking the pipelines vertically. The Planning and Development Department shall specify the environmentally preferred alternative of pipeline construction, and shall permit that alternative subject to SS&RR Committee review.

XIV-12. Modification of Containment Structure at Corral Creek

In order to provide for the protection of marine resources in the event of a major onshore spill, ExxonMobil shall modify the existing containment structure at Corral Creek crossing #1 so as to reduce the time it takes to close the gate to five minutes or less, subject to review by the System Safety and Reliability Review Committee.

XIV-13. Blasting Limitations

Blasting associated with pipeline installation shall be avoided when rare/endorsangered seabirds or mammals or any cetaceans are in the vicinity of the blasting location. ExxonMobil and its contractors shall make every reasonable effort to determine the presence or absence of such species prior to blasting.

XIV-14. Sensitive Species Training

Onshore: ExxonMobil shall include awareness training for its contractors of the sensitive species located in Corral Creek. The training shall include a description of the species, protection status under the law, the potential range of movement, and what to do in the event one is found within the construction area. This training shall be incorporated into the pre-construction meeting(s) with construction personnel to perform the work. Agency representatives shall be invited to attend the meeting(s).

Offshore: ExxonMobil shall provide awareness training prior to the start of construction for all project-related personnel and vessel operators as to the most common types of marine mammals likely to be encountered in the project area and the types of activities that have the most potential for affecting the animals. In addition, the applicant shall require all offshore personnel to view the Western States Petroleum Association (WSPA) Fisheries and Wildlife Training Program video. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project).*

XIV-15. Dynamic Positioning Vessel

ExxonMobil shall implement the Offshore Power Cable Repair and Enhancement Project using a dynamic positioning vessel to lay cables from shore to Platform Heritage and between Platforms Harmony and Hondo. *(Added February 19, 2003, Offshore Power Cable Repair & Enhancement Project.)*

XIV-16. Anchoring Plan

ExxonMobil shall submit an Anchoring Plan to SLC and MMS at least 60 days prior to commencement of cable installation and removal operations and to SBC for review and approval prior to approval of the Coastal Development Permit. **Plan Requirements:** The plan shall include:

1. A list all of the vessels that will anchor during the project and the number and size of anchors to be set;
2. Detailed maps showing anchoring sites identified during the pre-construction biological surveys, including re-positioning of anchor 1-C to ensure that it is at least 40 feet (12 m) from rocky habitat and that all anchors shall be set a minimum of 250 feet (75 meters) from active pipelines and power cables;

3. Descriptions of navigation equipment that would be used to ensure anchors are accurately set and of the anchor handling procedures that would be followed to prevent or minimize anchor dragging; and,
4. A requirement to be included in appropriate contracts for the Offshore Power Cable Repair Project that contractors shall, whenever feasible, use appropriate installation techniques and procedures described in the Anchoring Plan that will minimize or avoid environmental impacts such as turbidity and anchor scarring.
(Added February 19, 2003, Offshore Power Cable Repair & Enhancement Project.)

XIV-17. Additional Mitigation of Cable Laying Impacts

Along with the measures described in the Anchoring Plan required by Condition XIV-16 above, ExxonMobil shall avoid and/or minimize sediment disturbance and impacts to benthic resources and hard bottom habitat during implementation of the Offshore Power Cable Repair and Enhancement Project through adherence to the following measures:

1. ExxonMobil shall cast sand excavated at or near the conduit, via a hose, at least 15 feet (4.5 meters) south, downslope, into the sand channel between the failed cable and the POPCO pipeline, away from armor rock, boulder fields, broken rock, or bedrock ridges.
2. During the cable lay operations associated with the Offshore Power Cable Repair and Enhancement Project, ExxonMobil shall require contractors to utilize a remotely operated vehicle (ROV) to monitor and videotape selected portions of the installation activities. If the ROV observes a rocky outcrop, the ROV shall assist the DP vessel in adjusting its route to avoid such a feature, whenever it is feasible to do so. If previously unidentified hard-bottom areas are observed, the cable route shall be adjusted, as necessary and with agency approval, to avoid resources. Activities that shall be videotaped with a copy provided to the responsible agencies include cablelaying along the route approximately 4-5 miles (6.4-8 km) from shore, in approximately 250-500 feet (75-150 meter) water depth. Additional activities to be videotaped may be identified during project implementation by the appropriate regulatory agency.
3. ExxonMobil shall provide, under safe conditions, the permitting agencies access to the site during installation and installation-related activities, including but not limited to, the cable laying vessel, support vessels, and ROV vessels. Agency biologists may observe the extent, distribution, and type of habitat that could be present near anchors or in the path of the proposed power cable. In the event that rocky habitat is observed during cable installation, the ExxonMobil shall ensure that the anchors or operations are adjusted, if at all possible, to avoid the habitat or notify the appropriate regulatory agencies for further direction if rocky habitat is unavoidable. All agency personnel on ExxonMobil-

contracted vessels shall be advised of and adhere to ExxonMobil safety requirements.

4. ExxonMobil shall develop a restoration and restoration-monitoring plan within 90 days of the submission of the post-installation survey required by Condition XIV-1, if significant impacts to kelp, abalone, and/or hard bottom habitats are detected. The final restoration and restoration-monitoring plan shall be submitted for review and approval to MMS, SLC, SBC, NMFS and CDFG prior to implementation. The final restoration plan shall be implemented within 60 days of approval and the restoration-monitoring plan shall extend for a 3-year period.
5. ExxonMobil shall adhere to the Southern California Eelgrass Mitigation Policy and include a requirement to use only native species, e.g., *Zostera marina*, for restoration purposes, where appropriate. Any impacts to eelgrass from the project shall be mitigated in accordance with SCEMP.
6. If a non-listed abalone(s) (red, black, pink or green) is detected within 75 feet of the conduit terminus during the time of the pre-installation marine biological survey, ExxonMobil shall contact NMFS and shall have a qualified biologist move the abalone pursuant to procedures reviewed and approved by MMS, NMFS, CDFG, and SBC or the agencies with jurisdiction agree to another appropriate alternative.
7. ExxonMobil shall conduct a post construction ROV or diver video survey, with voice overlay, along the length of the completed cable installation in State waters to verify the as-built condition of the cable. Such survey shall also include the entirety of the area affected by the proposed project, including all anchor locations, to confirm seafloor cleanup and site restoration. Enforcement Agency: SLC.
8. If a white abalone(s) is detected within 75 feet of the conduit terminus during the time of the pre-installation marine biological survey (see Condition XIV-1), ExxonMobil shall halt project activities in the nearshore area until any individual(s) have been relocated or the agencies with jurisdiction agree to another appropriate alternative.
9. ExxonMobil shall perform a pre-installation abalone survey of the nearshore project area within 14 days of any installation work near the conduit. The scope and methodology of the survey shall be submitted for review and approval to SBC, SLC, MMS, CDFG and NMFS prior to implementation. If a white abalone is identified during the pre-construction survey, ExxonMobil shall contact NMFS immediately. Preliminary survey results shall identify all species (red, pink, black, green and white) in the nearshore area and be submitted to agencies prior to any installation work. The final report shall be submitted

within 30 days of completion of the survey. *(Added February 19, 2003, Offshore Power Cable Repair & Enhancement Project.)*

XIV-18 Eelgrass Surveys and Methodologies

ExxonMobil shall conduct a pre-project eelgrass survey during the active growth phase (March through October) that shall be valid for a period of 120 days with the exception of surveys completed in August through October. A survey completed in August through October shall be valid until the resumption of active growth (i.e., March 1). Survey results shall be provided to SLC, SBC, CDFG, NMFS and MMS at least 15 days prior to the start of the OPSR project.

ExxonMobil shall conduct a post-project eelgrass survey within 30 days of project completion to determine the actual area of impact. Preliminary survey results shall be submitted to SLC, SBC, CDFG, NMFS and MMS within 30 days of completion of the project. The final report shall be submitted within 60 days of completion of the eelgrass post-installation survey.

ExxonMobil shall submit copies of all surveys and/or mitigation plans to NOAA Fisheries. *(Added February 19, 2003; Offshore Power Cable Repair and Enhancement Project)*

XV. NOISE CONTROL

XV-1. Noise Monitoring and Control Plan

Prior to the approval of the Final Development Plan, ExxonMobil shall file with the Director of the Planning and Development Department a Noise Monitoring and Control Plan which has been approved previously by the Director of the Department of Health Care Services, the Director of the Planning and Development Department and the Director of Parks. The plan shall describe the best efforts ExxonMobil shall take to reduce the noise impacts of the project both during construction and operation of the project. The noise control program shall apply to project related activities onshore and offshore within the three mile limit including the vicinity of the El Capitan State Beach Park and the Ellwood Pier. The approved plan shall be implemented by ExxonMobil and shall be followed until temporarily suspended or deemed no longer necessary by the Planning and Development Department. The plan shall include provisions to ensure that items 2 through 8 below are included: *(Modified May 4, 1994; II-2 Review)*

XV-2. Ambient Noise Survey

Prior to construction, noise monitors and recorders shall be installed at points along the shoreline of the El Capitan State Beach Park, at the landfall of the Ellwood Pier, at the property boundary, near UCSB and Goleta Beach, and at other points determined to be impacted by the Health Care Services Director. As other projects which add to the noise impacts associated with this project (e.g. other offshore oil projects), obtain permits from Santa Barbara County, they may be required to reimburse ExxonMobil on a pro-rata basis.

XV-3. Noise Level Limits

Except for motor vehicles and motorized construction equipment, all facilities shall be designed, constructed, operated and maintained such that sound levels do not exceed 70 dBA at or beyond the property line, as measured on the "A" weighted scale at slow response on approved sound level measuring instruments. The facility shall comply with all standards established in the Noise Element of the Comprehensive Plan and the Article III Zoning Ordinance. No residents shall be subjected to greater than a 9 dB increment above baseline ambient noise level. Noise level at the periphery of graded pads associated with the facilities shall not exceed, as feasible, 70 dBA to reduce impacts to wildlife. The best available technology, muffling equipment and landscaping measures shall be used to minimize noise impacts.

XV-4. Additional Noise Limits

During the construction and operation phases, project related noise at the El Capitan State Beach Park, the landfall of the Ellwood Pier, and any impacted persons within the vicinity of the pier or other points to be determined by the Health Care Services Director to be impacted shall be limited to 65 dBA between the hours of 7:00 a.m. and 10:00 p.m., and 50 dBA between the hours of 10:00 p.m. and 7:00 a.m., consistent with the County Noise Element and the Article III 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.

XV-5. Helicopter Noise Control and Overflight Routes

Prior to approval of the Final Development Plan, ExxonMobil shall submit to the Director of the Health Care Services Department and the Director of the Planning and Development Department procedures that ExxonMobil will take to minimize noise impacts from helicopters. The procedures, to be approved by Planning and Development Department, shall be developed in consultation with appropriate community groups and shall specify overflight routes to be taken to minimize noise impacts to the community and other feasible measures. ExxonMobil shall direct its contractors to abide by the helicopter procedures and shall take reasonable corrective action if complaints arise concerning the use of helicopters.

XV-6. Non-Radio Communication Restrictions

Non-radio communication audible to the general public shall not occur between the shore and project related offshore boats unless specifically required by law.

XV-7. Nighttime Restrictions

Where reasonable, as determined by the Director of Health Care Services and the Director of the Planning and Development Department, noise generating project activities 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, ExxonMobil shall take additional feasible steps to reduce the noise levels or further restrict the offending activity.

XV-8. Supply Boat Noise Control

Project related crew and supply boats shall not cause noise impacts along the Santa Barbara coastline. The noise control plan shall include vessel routes, and equipment commitments necessary to reduce noise impacts onshore.

XVI. GROUNDWATER MANAGEMENT

XVI-1. Groundwater Management Plan

Prior to approval of the Final Development Plan, ExxonMobil shall file with the Director of Planning and Development Department a Groundwater Management Plan approved by the Director of the Planning and Development Department and the Director of Health Care Services. The plan shall provide for baseline monitoring, including the establishment of safe yield of the watershed; construction and operation phase monitoring; establishment of pumpage limits, water table decline limits, and baseline water quality parameters; and a description of remedial actions which shall be taken by ExxonMobil if the limits, parameters, or safe yield are exceeded.

The Groundwater Management Plan also shall include a determination, based on results from the monitoring program and streamflow measurements, of the degree to which groundwater withdrawals could reduce streamflow in Corral Creek due to induced infiltration. The Groundwater Management Plan shall include monitoring of wells and springs in Refugio Canyon, Corral Canyon, and the El Capitan area. A discussion of remedial actions shall include but will not be limited to the construction of recharge areas compatible with the surrounding habitat and the construction of a supplemental water system such as a desalination plant if determined to be necessary by the County. The County shall require appropriate remedial action in the event that safe yield is exceeded or projected to be exceeded or any groundwater levels are adversely affected.

XVI-2. Well Interference Study

Prior to approval of the Final Development Plan, a well interference study showing that the project proposed rate of water consumption will not have an adverse impact on wells on adjacent parcels shall be reviewed and approved by Environmental Health Services.

XVII. SURFACE WATER QUALITY MANAGEMENT

XVII-1. Surface Water Monitoring

Prior to approval of a Final Development Plan, ExxonMobil shall file with the Director of the Planning and Development Department a Surface Water Quality Management Program

approved by the Director of the Planning and Development Department and Director of Health Care Services. The program shall provide for baseline water quality sampling and analysis prior to construction and plans for detecting the location and degree of project related chemical changes in water quality during both construction and operation of the project.

The program shall include scheduled measurements of sedimentation during the grading period and measurements thereafter of appropriate parameters, including sediment, based on the chemical characteristics of materials handled on site which enter surface waters by unauthorized release including but not limited to leach field seepage. All sampling and analysis shall be performed by an independent state certified analytical laboratory with hazardous waste testing capabilities. Sedimentation reports shall be submitted during the grading period and thereafter to the Director of the Planning and Development Department and Director of Health Care Services and to ExxonMobil. The program should describe what steps shall be taken if contaminant levels in Corral Creek rise above specified thresholds approved by Environmental Health Services and the Regional Water Quality Control Board, including immediate notification of the Director of the Planning and Development Department and Director of Health Care Services. ExxonMobil shall demonstrate that they will comply with all regulations prohibiting the discharge of hazardous wastes.

XVII-2. Uncontaminated and Contaminated Water Discharge

Uncontaminated surface water which does not contact processing and storage facility areas, may be discharged directly into Corral Creek, subject to County Environmental Health Services and Regional Water Quality Control Board approval. Surface water which contacts processing and storage facility areas shall be treated to standards approved by the County Environmental Health Services and Regional Water Quality Control Board before being discharged into Corral Creek.

XVII-3. Future Pipeline Mitigation Plan

Prior to issuance of the Land Use Permit or Coastal Development Permit for pipeline installation, ExxonMobil shall obtain Planning and Development Department approval of a plan to minimize impacts associated with future pipeline construction in the Las Flores Canyon area. At a minimum, the plan shall address the following possible methods to reduce impacts:

- a. arrangement of simultaneous construction or shadow construction with other companies;
- b. engineering of pipe placement within the onshore right of way to minimize incremental widening of the initial construction corridor during subsequent pipeline projects;

- c. completing corridor preparation work (e.g., blasting, installing pipe racks, installing stream-spanning structures) in such a manner as to accommodate future pipelines with minimum environmental disturbance;
- d. coordinating timing and design of revegetation plans to promote effective revegetation by minimizing unnecessary duplication of efforts.

Based on the results of this plan the Planning and Development Department may require that such techniques and mitigations be used.

XVII-4. Sewage Treatment Plant Assessment

In order to minimize the impacts of effluents in Corral Creek from the proposed leach field, prior to approval of the Final Development Plan, ExxonMobil shall submit to the Planning and Development Department for approval an assessment of the advantages and disadvantages of installing a small-scale sewage treatment plant onsite, and of moving the leach field to a location further south, in the mouth of Corral Canyon.

XVIII. OCEAN OUTFALL

XVIII-1. Deep Well Injection Feasibility Plan

Prior to the issuance of any Land Use Permit or Coastal Development Permit for pipeline installation, ExxonMobil shall obtain Planning and Development Department approval of a plan which discusses the feasibility of injecting produced water into onshore and/or offshore wells. Depending on the results of this study, the Planning and Development Department may require injection of produced water. If the Planning and Development Department does not require reinjection, then ExxonMobil may be required to redesign the diffuser and disposal facilities to increase initial dilution to the satisfaction of the Planning and Development Department.

XVIII-2. Ocean Water Quality

Offshore: ExxonMobil shall provide analytical results of samples taken of the seawater in the J-tubes to EPA and submit other information (such as volume, number of times to discharge, etc.) to EPA in order to receive permission to conduct flushing of the J-tubes.

Nearshore: ExxonMobil shall work with the Central Coast Regional Water Quality Control Board (CCRWQCB) by providing samples of the material within the nearshore conduit and, if required by the CCRWQCB, submit a Low Threat Permit application in order to receive permission to conduct conduit flushing operations. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

XVIII-3. DELETED

XVIII-4. Ocean Discharge Monitoring

ExxonMobil shall monitor the effluent from the ocean discharge in accordance with National Pollutant Discharge Elimination System (NPDES) permit requirements and a plan approved by the Director of the Planning and Development Department (P&D) to verify the modeling projections of dilution ratios and receiving water quality. ExxonMobil shall demonstrate to the satisfaction of the P&D through worst-case seasonal (winter) monitoring conducted prior to initial produced water discharge, after one year of operation discharge and, if directed by P&D, after three years of operation discharge under specified conditions within the natural range of oceanographic conditions, that the predicted dilutions of the redesigned outfall and disposal facilities were achieved. This plan shall be submitted to and receive approval from P&D and shall describe how water quality modeling projections will be verified. This plan, for both the pre- and post-discharge sampling, shall include but not be limited to a methodology for sampling the chemical and physical characteristics of effluent just prior to discharge, sampling receiving water quality at the projected mixing zone, sampling receiving water quality at least 1000 meters east and west of Platform Harmony, and determining physical oceanographic characteristics at the diffuser depths and all sampling sites. This model verification shall be a one-time assessment by ExxonMobil. ExxonMobil shall submit copies of all monitoring reports to P&D.

XIX. ABANDONMENT

XIX-1. Abandonment Procedures and Performance Bond

When averaged (arithmetic mean) operational throughput of oil and gas processing facilities, storage, or transportation facilities over any twelve (12) consecutive month period is at or below 3 percent of the maximum permitted operating capacity, the County shall review the permits at a duly noticed public hearing to determine if facility abandonment or facility modifications are appropriate, and if the site should be rezoned or redesignated in the Comprehensive Plan. If such a determination is made, ExxonMobil shall remove any and all abandoned facilities constructed under this permit, excavate any contaminated soil, recontour the site, and revegetate the site in accordance with a County approved Abandonment Plan within one year of such determination.

ExxonMobil shall post a performance bond or other security device acceptable to County Counsel to ensure compliance, or continue to pay property taxes as assessed during project operation until site restoration is complete, as determined by the County.

XIX-2 Offshore Power Cable Facilities Abandonment

ExxonMobil shall remove the replacement power cables and other facilities installed as part of the Offshore Power Cable Repair and Enhancement Project and the remaining failed Cable C in their entirety at the end of the SYU project life. Application for removal shall be submitted to appropriate federal, state, and local agencies within one year of ceased production unless an extension is granted. Full cable removal shall occur within one year of obtaining discretionary permits unless an extension is granted.

As part of its facility-wide abandonment application at the end of the SYU life, ExxonMobil shall submit a Recycling Feasibility Analysis for agency review and approval for the cable installed in state waters and onshore during the Offshore Power Cable Repair and Enhancement Project. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

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