

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 1/26/06
Department Name: Planning and Development
Department No.: 458
Agenda Date: 2/7/06
Placement: Administrative
Estimate Time: N/A
Continued Item: YES
If Yes, date from: 10/26/04

G:\GROUP\ENERGY\WP\POLICY\OIL TRANS\CCC Submittal\Board Agenda Letter. Withdrawal of amdmt.1-23-06

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development Department

STAFF CONTACT: Doug Anthony, Interim Deputy Director
Energy Division, 568-2046

SUBJECT: Local Coastal Program Amendments to Update Oil Transportation Policies

Recommendation(s): That the Board of Supervisors authorizes the Chair to sign the attached letter to the California Coastal Commission, withdrawing Local Coastal Program amendments adopted on October 24, 2004 to update the County's oil transportation policies in order to allow more time to address issues raised by the Western States Petroleum Association.

Alignment with Board Strategic Plan: Goal II: A Safe and Healthy Community in Which to Live, Work, and Visit.

Executive Summary and Discussion: On October 24, 2004, the Board of Supervisors adopted amendments to the County's Local Coastal Program (LCP) for the purpose of updating its oil transportation policies and regulations. This update prescribes the environmentally preferred mode of transporting crude oil that is produced offshore and landed in Santa Barbara County; namely overland pipeline, unless specific exceptions are met. Following adoption, the County submitted these amendments to the California Coastal Commission where the amendments are reviewed for consistency with the California Coastal Act.

The Commission was scheduled to hear this item at its meeting of February 16, 2005. However, County and Coastal Commission staff asked the Commission to pull this item from the agenda to allow time to comprehensively address issues submitted to the Commission by the Western States Petroleum Association (WSPA) shortly before the hearing. The Commission complied, allowing a continuation for up to one year – the maximum time allowed by procedural regulations.

Collaboration among the Commission and County staffs and WSPA did not commence until months later, however, because all parties were immersed in the consistency determinations for renewing the terms of 36 undeveloped leases situated in federal waters offshore Santa Barbara County. Once collaboration did begin, the parties have worked together to find resolution, and progress has been made. However, we have reached

our one-year deadline and more time is required to complete our collaborative effort. Procedurally, the County may withdraw the LCP submittal to allow the additional time required to complete our problem-solving effort. This approach works well because staff plans on bringing recommended revisions to the amendments back to the Board for consideration prior to resubmitting the amendments to the Coastal Commission.

Mandates and Service Levels: Coastal Commission regulations permit continuation of certification hearings up to a maximum of one year (Title 14, California Code of Regulations, § 13535(c). Additional time beyond a year may be accommodated by either the Commission's denial of the amendments or the local jurisdiction's withdrawal of the amendments (Title 14, California Code of Regulations, § 13535(a).

Service levels are not affected by the temporary withdrawal.

Fiscal and Facilities Impacts: There are no fiscal or facilities impacts associated with the requested action. Staff expenditures to continue the collaborative efforts with WSPA and Coastal Commission staff is budgeted on page D-304 of the FY 2005-06 County Adopted Budget under the category of "Long-Range Planning."

Special Instructions: None

Concurrence: N/A.

February 7, 2006

The Honorable Meg Caldwell
Chair, California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

RE: SB-MAJ-2-04 Part A, Transportation of Oil by Pipeline

Dear Chair Caldwell:

Santa Barbara County respectfully withdraws the foregoing amendments to its Local Coastal Program at this time. This action gives us more time to complete collaborative efforts directed towards addressing issues raised by the Western States Petroleum Association. The Board thanks you and your staff for the continued assistance with these collaborative efforts.

Respectfully submitted,

Joni Gray, Chair
Board of Supervisors