

BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: August 19, 2008
Placement: Departmental
Estimated Tme: 1 hour
Continued Item: Yes
If Yes, date from: July 8, 2008
Vote Required: Majority

TO: Board of Supervisors

FROM: Department John Baker, Assistant CEO and Director, Planning and Development
Director(s) (805) 568-2085
Contact Info: Douglas Anthony, Deputy Director, Energy Division (805) 568-2046
William Dillon, Deputy County Counsel (805) 568-2959

SUBJECT: **Bruce W. Bell Appeal** (*Case No. 08APL-00000-000021*) of County Planning Commission Approval of PXP Tranquillon Ridge Oil and Gas Development Project (*Case No. 06RVP-00000-00001*); Third and Fourth Supervisorial Districts.

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Other Concurrence: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Determine Mr. Bell's standing to appeal.
- B-1. If standing to appeal is not demonstrated, deny the appeal for lack of standing.
- B-2. If standing to appeal is demonstrated, deny the Bell Appeal, Case No. 08APL-00000-00021.
- C. Hear the ExxonMobil/Sunset Appeal (Case No. 08APL-00000-00019) and Vaquero Energy, Inc. Appeal (Case No. 08APL-00000-00020) prior to taking final action on the Bell appeal and the Tranquillon Ridge project (Case No. 06RVP-00000-00001).
- D. Approve the minor modifications to the Tranquillon Ridge Final Environmental Impact Report (EIR) (06EIR-00000-00005; State Clearinghouse No. 2006021055) presented in Attachment A.11 to this Board Agenda Letter and including any modifications made by the Board in the public hearing, and certify that the Tranquillon Ridge Final EIR reflects the independent judgment of the Board, has been completed in compliance with CEQA, and is adequate for the Tranquillon Ridge project.

- E. Adopt the required findings for the project, including CEQA findings, specified in Attachment A.12 to this Board Agenda Letter and including any modifications made by the Board in the public hearing; and,
- F. Grant approval of Revised Development Plan Case No. 06RVP-00000-00001, subject to the conditions of approval specified in the Planning Commission's Action Letter and attachments dated April 23, 2008, with modifications to Final Development Plan Condition A-6 to delete the requirement that the Lompoc Oil and Gas Plant cease all operations by December 31, 2022, other revisions to the Final Development Plan as provided in Attachment A.13 to this Board Agenda Letter, and including any modifications made by the Board in the public hearing.

Summary Text:

A. PROPOSED PROJECT

The proposed project is a request for a revised Final Development Plan (FDP) to modify Plains Exploration & Production Company's (PXP) existing FDP for the Point Pedernales project to allow project modifications and approvals necessary to develop, transport, and process oil and gas produced from a proposed new oil and gas lease area in State tidelands. PXP proposes to drill wells from its existing Platform Irene in federal waters offshore Vandenberg Air Force Base into a proposed new lease area in State waters to access the Tranquillon Ridge field oil and gas reserves. The oil and gas would be transported from Platform Irene to the Lompoc Oil and Gas Plant near Lompoc via PXP's Point Pedernales pipeline system. More detailed project description information is available in Section 5.0 of the Planning Commission staff report (Attachment A.2) and the Final EIR (Attachment A.3) prepared for the proposed project. The revised FDP, if approved, would incorporate development of the Tranquillon Ridge reserves into the existing Point Pedernales project and would apply to development of both of these offshore fields.

The project components include Platform Irene, the Lompoc Oil and Gas Plant (LOGP), and the oil, gas, and produced water pipelines between the platform and the LOGP. The LOGP site is 2.7 miles northeast of the City of Lompoc and 0.9 miles northwest of Vandenberg Village and is zoned M-CR, Coastal-Related Industry. The LOGP address is 3602 Harris Grade Road in the Fourth Supervisorial District (See Figure 1). Platform Irene is located in federal waters approximately 4.7 miles west of Point Pedernales. The onshore portion of the pipeline corridor is located from its landfall at Wall Beach on Vandenberg Air Force Base to the LOGP, crossing agriculturally-zoned land outside of the Base. Each of these three major components of the proposed Tranquillon Ridge project is currently in operation for the Point Pedernales project.

By letter dated April 14, 2008 (Attachment A.8), PXP requested that an end date of December 31, 2022 be incorporated into the Tranquillon Ridge project. This request was addressed in the staff report to the Planning Commission and was included as a revision to FDP Condition A-6, *Project Description*, in the Planning Commission's approval of the project. By letter dated April 18, 2008 (Attachment A.9), PXP requested that additional information regarding greenhouse gas emission reductions be incorporated into the Tranquillon Ridge project. This request was presented to the Planning Commission at its April 21, 2008 hearing and was incorporated into its approval of the project, also in FDP Condition A-6 (see page 2 of Attachment A.1, Planning Commission Action Letter dated April 23, 2008).

B. BACKGROUND

The County Planning Commission approved the proposed Tranquillon Ridge project, with the changes PXP requested (described above), at a special hearing in Santa Maria on April 21, 2008. This approval included certification of the Final Environmental Impact Report (EIR) prepared for the project (06EIR-00000-00005; SCH #2006021055). The EIR was prepared under the auspices of a Joint Review Panel (JRP) comprising staff from the County Planning and Development Department, the California State Lands Commission, and the California

Coastal Commission. Staff from the County Air Pollution Control District, Vandenberg Air Force Base, and the federal Minerals Management Service served as advisory members of the JRP. The County is the Lead Agency for the EIR.

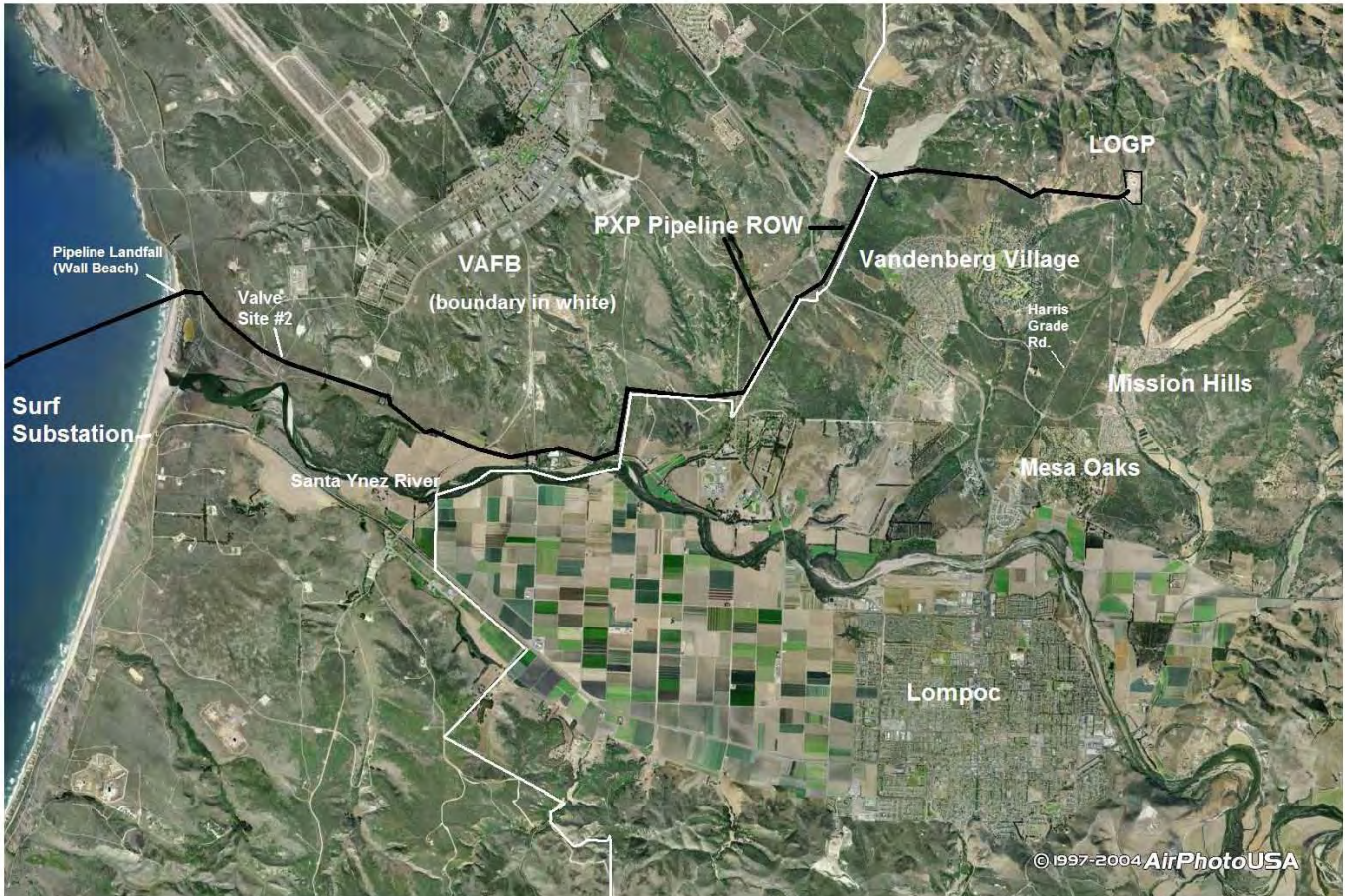


Figure 1: PXP Pipeline Corridor and LOGP Location

The Draft EIR was circulated for public review from October 31, 2006 through January 16, 2007. Comments on the Draft EIR and responses to these comments were incorporated into the proposed Final EIR (see EIR Section 9.0) which was released on March 27, 2008. The Final EIR is included as Attachment A.3 and was previously provided to the Board members under separate cover.

In its 2005 application to the County, PXP projected that the Tranquillon Ridge project would operate for about 30 years from the time the first new well is drilled. Based on this projection, the EIR analyzed operation of the Tranquillon Ridge project until the year 2037. The EIR analyses included concurrent operation of the Point Pedernales project until about 2017. The year 2017 represents the mid-point of PXP's Point Pedernales Field production forecasts (2012-2022), and an approximate midpoint of combined Minerals Management Service and State Lands Commission operation projections for the Point Pedernales project of 2010 to 2022.¹ The EIR identified 13 Class I (significant and unavoidable) impacts and 24 Class II (significant but mitigable) impacts for the 30-year (2037) Tranquillon Ridge project.

¹ These estimates are discussed in Final EIR Section 2.2.6, pp. 2-12 through 2-14.

The Planning Commission approved the shorter operating life for the Tranquillon Ridge project as requested by PXP. The Planning Commission found that this “reduced-life” project offers the best means to access the Tranquillon Ridge oil and gas reserves because it would use existing infrastructure for a defined period of time approximately equivalent to the current outer estimate (2022) for the end of Point Pedernales project operations, which balances against the significant and unavoidable impacts of the project (see Attachment A.1, Planning Commission Finding 1.8, pp. A-4 through A-6).

C. STAFF RESPONSE TO APPEAL LETTER

Issue 1: Appellant’s Standing to Appeal

The County’s Land Use and Development Code (LUDC) and Coastal Zoning Ordinance (CZO) set forth the definition of an aggrieved person who may file an appeal of a Planning Commission decision as follows:

Who may appeal. An appeal may only be filed by an applicant or any aggrieved person. An aggrieved person is defined as any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing or decision, informed the review authority of the nature of their concerns or who for good cause was unable to do either. (LUDC Section 35.102.020.A and CZO Section 35-182.2.A, General Appeal Procedures)

Prior to the April 21, 2008 Planning Commission hearing, three noticed² public workshops and hearings on the Tranquillon Ridge EIR were held:

March 29, 2006	EIR Scoping Meeting, Lompoc City Council Chambers
November 15, 2006	Draft EIR Workshop, Lompoc City Council Chambers
December 11, 2006	Draft EIR Comment Hearing, Lompoc City Council Chambers

Mr. Bell provided no comments at these hearings or at the Planning Commission’s April 21, 2008 noticed public hearing on the project, and was not identified as being represented by any speaker or commenter who did provide written or oral comments on the EIR or the proposed project. There is no record of any communications to the County, either written or oral, from Mr. Bell or any stated representative of Mr. Bell, regarding the Tranquillon Ridge EIR or the proposed project itself prior to his filing of the appeal application on May 1, 2008. Planning and Development staff requested that Mr. Bell provide evidence that he has standing to appeal the Planning Commission’s April 21, 2008 decision to approve the Tranquillon Ridge project by letter (see Attachment D.2, May 8, 2008 P&D letter to Bruce Bell), and by voicemail message to the telephone number provided on Mr. Bell’s appeal form. On June 27, 2008, staff was able to reach Mr. Bell by telephone. He indicated he was traveling and would contact staff the following week. As of July 31, 2008, Mr. Bell had not contacted P&D staff.

Issue 1 - Recommendations:

1. Consider any evidence Mr. Bell may present prior to or at the August 19, 2008 hearing regarding his standing to appeal the County Planning Commission’s Tranquillon Ridge project approval and determine either to deny the appeal for lack of standing, or to proceed with the hearing on the appeal (see Issue 2 discussion below).
2. Deny the appeal (if the Board determines that Mr. Bell has standing to appeal the County Planning Commission’s Tranquillon Ridge approval).

² These workshops/hearings were publicly noticed via mailed notices to P&D’s Tranquillon Ridge mailing list, postings on the Energy Division website, and in the *Santa Maria Times* and *Lompoc Record* newspapers.

Issue 2: Appeal Point - The Planning Commission Failed to Consider the Significant Impacts of the Project

The second paragraph of the Bell appeal letter states:

The Planning Commission failed to consider the significant and potentially devastating environmental impacts of the project. There is a huge risk of an offshore oil spill if the project goes forward. In fact, in 1997, an oil spill from the platform the project plans to use resulted in 6,000 gallons of oil polluting approximately 40 miles of our precious shoreline. Many seabirds and other aquatic life were killed as a result. The environment cannot tolerate another spill. We need to stop all off-shore oil drilling because it puts at risk thousands of marine species, including the endangered brown pelican, sea otters, seals and sea lions.

The fifth paragraph of the Bell appeal letter states:

I request that the Board of Supervisors overturn the decision of the Planning Commission regarding this project and direct your Planning Staff to come up with a less destructive alternative.

Response to Appeal Point

The County Planning Commission considered the potential environmental impacts of the Tranquillon Ridge project. The Tranquillon Ridge EIR thoroughly evaluated the potential significant environmental impacts of the project in sixteen separate issue areas, including risk of oil spills and marine biological impacts of an oil spill (see Attachment A.3, Tranquillon Ridge EIR), as well as potential cumulative impacts. The Planning Commission considered this EIR, and certified it as adequate, prior to approving the Tranquillon Ridge project (see Attachment A.1, Planning Commission Action Letter, Attachment A, Finding 1.1). The April 15, 2008 staff report to the Planning Commission summarized the Class I (significant and unavoidable), Class II (significant but mitigable), and cumulative impacts of the Tranquillon Ridge project as evaluated in the EIR (see Attachment A.2, Planning Commission Staff Report, Section 6.1.1 and Tables 3, 4, and 5). All significant impacts associated with an oil spill are considered to be Class I, significant and unavoidable. Of the eleven Class I impacts associated with the “reduced-life” (end in 2022) Tranquillon Ridge project, all but one are related to the consequences of an oil spill.

The Planning Commission is well aware of the 1997 oil spill and its consequences. The County was involved in the Natural Resource Damage Assessment conducted by the State Office of Spill Prevention and Response for the 1997 oil spill, and successfully sued Torch (the operator at the time of the spill) for damages associated with that oil spill. The Tranquillon Ridge EIR cites the 1997 oil spill from the Point Pedernales pipeline in several places, including:

- eight times in the Risk analysis (Section 5.1),
- six times in the Marine Biology analysis (Section 5.5),
- five times in the Marine Water Quality impact analysis (Section 5.6), and
- ten times in the Response to Comments chapter of the Final EIR (Section 9.0).

The EIR also describes the marine species that could be affected by an offshore oil spill, including plankton, fish, marine mammal, marine turtle, seabird, and benthic invertebrate species (EIR Section 5.5.1). Section 5.5 of the EIR contains:

- more than eight specific references to the endangered brown pelican;
- more than 10 references to sea lions;
- more than 30 references to sea otters; and
- over 30 references to seals.

Section 5.1 of the EIR thoroughly describes the risk of an offshore oil spill associated with the Tranquillon Ridge project (see EIR Section 5.1.4, especially Tables 5.1.27, 5.1.28, and 5.1.29). In addition, three appendices to the EIR provide supporting information for the EIR analyses of oil spill impacts:

- Appendix E is a 2002 description of the potential impacts associated with the clean-up of a marine oil spill;
- Appendix G presents the results of trajectory studies and oil spill modeling conducted for Platform Irene and the Platform Irene to LOGP offshore oil pipeline; and,
- Appendix H provides some of the detailed data used in the risk analyses in Section 5.1 of the EIR.

However, the potential consequences of an offshore oil spill are of greater concern than estimated probabilities of a spill occurring. As noted in Planning Commission Finding 1.4, the County found that even with incorporation of feasible mitigation measures, the impacts of an offshore oil spill cannot be mitigated to insignificance, thus the Class I (significant and unavoidable) designation for those impacts. The Planning Commission considered detailed information regarding the likelihood and potential consequences of an offshore oil spill associated with the Tranquillon Ridge project in its decision to approve the project. Recognizing that these impacts cannot be mitigated to insignificance and pursuant to CEQA requirements (PRC Section 21081(b); CEQA Guidelines Section 15093), the Planning Commission adopted a Statement of Overriding Considerations describing the reasons it decided to approve the project, even with these significant impacts (see Attachment A.1, Planning Commission Action Letter (Attachment A), Finding 1.8).

The Tranquillon Ridge EIR evaluated and the Planning Commission considered a reasonable range of alternatives to the proposed project. The EIR assessed an onshore alternative (VAFB Onshore Alternative) to the proposed project, as well as several alternatives to certain project components (see EIR Section 3.0 for descriptions of the alternatives evaluated throughout Section 5.0 of the EIR). The Planning Commission considered these alternatives and declined to adopt any of them for the reasons stated in its CEQA Finding 1.6 (see Attachment A.1, Planning Commission Action Letter, Attachment A). The County Planning Commission examined a reasonable range of alternatives to the proposed Tranquillon Ridge project in sufficient detail to compare to the Tranquillon Ridge project and concluded that the Tranquillon Ridge project, as approved, would be preferable to implementing any of the alternatives, including development of the Tranquillon Ridge reserves from an onshore location on VAFB.

Issue 2 - Summary and Recommendation: The Tranquillon Ridge EIR thoroughly describes the likely impacts of an offshore oil spill associated with the Tranquillon Ridge project and feasible alternatives to the PXP project, including a shore-based drilling and production site. The April 15, 2008 Planning Commission staff report accurately summarized these impacts and the Planning Commission understood and properly considered these environmental impacts and project alternatives in its approval of the Tranquillon Ridge project. Based on the foregoing, staff recommends denial of the Bell appeal (Case No. 08APL-00000-00021).

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis: Narrative: The costs of this appeal will be partially funded by the \$443 appeal fee paid by the appellant per the Planning and Development Department Fee Schedule in effect on the date the appeal was filed (Resolution 06-359 adopted by the Board of Supervisors on November 14, 2006, effective January 2007). The fee was collected from the appellant. Remaining costs of the appeal are funded by the applicant, PXP, through its current reimbursement agreement with the County for permit processing for the proposed project. Fees paid by oil and gas project applicants are budgeted in the Permitting and Compliance Program of the Energy Division on page D-313 of the budget for Fiscal Year 2008-2009. There are no facilities or staffing impacts.

Staffing Impacts: None.

Special Instructions:

P&D Hearing Support Staff shall publish a legal notice in the *Santa Barbara News-Press*, the *Santa Maria Times*, and the *Lompoc Record*.

Energy Division staff shall mail notice of the hearing to the Tranquillon Ridge project mailing list at least ten (10) days prior to the August 19, 2008 hearing.

The Clerk of the Board will forward a copy of the Minute Order to Planning and Development, Attention: David Villalobos, Hearing Support Staff, and Nancy Minick, Planner.

Planning and Development, Energy Division will prepare the final action letter and notify interested parties of the Board of Supervisors' final action.

Attachments:

- A.1 Planning Commission Action Letter with Attachments dated April 23, 2008.
- A.2 Planning Commission Staff Report dated April 15, 2008 with Attachments and Errata.
- A.3 Tranquillon Ridge Final Environmental Impact Report, April 2008 (*provided under separate cover*).
- A.4 Transcript of Planning Commission Hearing of April 21, 2008.
- A.5 Staff Slides at Planning Commission Hearing of April 21, 2008.
- A.6 PXP Slides at Planning Commission Hearing of April 21, 2008.
- A.7 ExxonMobil Slides at Planning Commission Hearing of April 21, 2008.
- A.8 PXP letter to P&D dated April 14, 2008.
- A.9 PXP letter to P&D dated April 18, 2008.
- A.10 Excerpts from ExxonMobil/Sunset Vahevala Project Application to Santa Barbara County, *December 2006 Responses to Agency Comments*.
- A.11 Recommended Clarifications to Final Tranquillon Ridge EIR.
- A.12 Recommended Findings for Approval of the Tranquillon Ridge Project.
- A.13 Recommended Conditions of Approval for the Tranquillon Ridge Project.

There are no "B" or "C" Attachments to this Board Agenda Letter.

- D.1 Appeal to Board of Supervisors dated May 1, 2008.
- D.2 P&D Letter to Appellant dated May 8, 2008.

Authored by:

Nancy Minick, Planner (805) 568-2506
Kevin Drude, Energy Specialist (805) 568-2519

cc: Case File: 06RVP-00000-00001
Records Management
Appellant: Bruce W. Bell, 1252 San Miguel Ave., Santa Barbara, CA 93109
Applicant: Steven P. Rusch, PXP, 5640 South Fairfax Ave., Los Angeles, CA 90056-1266
William Dillon, Deputy County Counsel
John Baker, Assistant CEO and Director, P&D
Dianne Black, Director Development Services, P&D
Doug Anthony, Deputy Director, Energy Division, P&D
Kevin Drude, Energy Specialist, P&D
Nancy Minick, Planner, P&D

ATTACHMENT D.1

Appeal to Board of Supervisors dated May 1, 2008



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

COUNTY OF SANTA BARBARA
CLERK OF THE BOARD OF SUPERVISORS

2010 MAY -1 PM 5:05

Appeal to the Board of Supervisors or Planning Commission (County or Montecito)

APPEAL TO THE BOARD OF SUPERVISORS OR PLANNING COMMISSION (APL) on the
 (State) revocation, annulment of

- o All Discretionary projects heard by one of the Planning Commissions
- o Board of Aesthetics all review decisions
- o Coastal Development Permit decisions
- o Land Use Permit decisions
- o Planning & Development Director's decisions
- o Zoning Administrator's decisions

THIS PACKAGE CONTAINS _____

- ✓ APPLICATION FORM
- ✓ SUBMITTAL REQUIREMENTS

AND, IF ✓'D, ALSO CONTAINS _____

South County Office 123 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2000 Fax: (805) 568-2030	Energy Division 123 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2040 Fax: (805) 568-2522	North County Office 624 W. Foster Road, Suite C Santa Maria, CA 93455 Phone: (805) 934-6250 Fax: (805) 934-6258	Clerk of the Board 105 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2240 Fax: (805) 568-2249
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Website: www.sbcountyplanning.org

SUBMITTAL REQUIREMENTS

- X 8 Copies of the attached application.
- X 8 Copies of a written explanation of the appeal including:
- If you are not the applicant, an explanation of how you are an “**aggrieved party**” (“Any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by the other nature of his concerns or who for good cause was unable to do either.”);
 - A clear, complete and concise statement of the **reasons or grounds for appeal**:
 - Why the decision or determination is consistent with the provisions and purposes of the County’s Zoning Ordinances or other applicable law; or
 - There was error or abuse of discretion;
 - The decision is not supported by the evidence presented for consideration;
 - There was a lack of a fair and impartial hearing; or
 - There is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.
- X 1 Check payable to Planning & Development.

✓ Note: There are additional requirements for certain appeals including:

✓

- a. **Appeals regarding a previously approved discretionary permit** – If the approval of a Land use permit required by a previously approved discretionary permit is appealed, the applicant shall identify: 1) How the Land Use Permit is inconsistent with the previously approved discretionary permit; 2) How the discretionary permit’s conditions of approval that are required to be completed prior to the approval of a Land Use Permit have not been completed; 3) How the approval is inconsistent with Section 35.106 (Noticing).
- b. **Appeals regarding Residential Second Units (RSUs)** – The grounds for an appeal of the approval of a Land Use Permit for a RSU in compliance with Section 35.42.230 (Residential Second Units) shall be limited to whether the approved project is in compliance with development standards for RSUs provided in Section 35.42.230.F (Development Standards).



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: Tranquillon Ridge Oil and Gas Project

ASSESSOR PARCEL NUMBER: _____

PARCEL SIZE (acres/sq.ft.): Gross _____ Net _____

COMPREHENSIVE/COASTAL PLAN DESIGNATION: _____ ZONING: _____

Are there previous permits/applications? no yes numbers: _____
(include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? no yes numbers: _____

2/19/11 - 1 PM 5:00
COUNTY OF SANTA BARBARA
PLANNING & DEVELOPMENT
3000 ANTELOPE VALLEY ROAD
SANTA BARBARA, CA 93101
TEL: 805-845-6390 FAX: 805-845-6391

1. Appellant: Bruce W. Bell Phone: (805) 845-6390 FAX: _____

Mailing Address: 1252 San Miguel Avenue Santa Barbara, CA 93109 E-mail: bruce@bzprop.com
Street City State Zip

2. Owner: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

3. Agent: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

4. Attorney: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

COUNTY USE ONLY

Case Number: _____ Companion Case Number: _____
Supervisory District: _____ Submittal Date: _____
Applicable Zoning Ordinance: _____ Receipt Number: _____
Project Planner: _____ Accepted for Processing: _____
Zoning Designation: _____ Comp. Plan Designation: _____

COUNTY OF SANTA BARBARA APPEAL TO THE :

BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title: Tranquillon Ridge Project

Case No. 06RVP-00000-00001, 06EIR-00000-00005

Date of Action April 21, 2008

I hereby appeal the approval approval w/conditions denial of the:

Board of Architectural Review – Which Board? _____

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? Santa Barbara Planning Commission

Planning & Development Director decision

Zoning Administrator decision

Is the appellant the applicant or an aggrieved party?

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are an "aggrieved party" as defined on page two of this appeal form:

See attached letter

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

see attached letter

Specific conditions imposed which I wish to appeal are (if applicable):

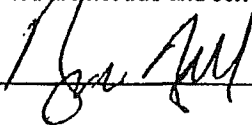
- a. _____
- b. _____
- c. _____
- d. _____

Please include any other information you feel is relevant to this application.

CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Bruce W. Bell  May 1, 2008
Print name and sign -- Firm Date

Print name and sign - Preparer of this form Date

Print name and sign - Applicant Date

Print name and sign - Agent Date

Print name and sign - Landowner Date

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Bruce W. Bell
1252 San Miguel Avenue
Santa Barbara, CA 93109

May 1, 2008

Honorable Chairman and Supervisors
County of Santa Barbara Board of Supervisors
105 East Anapamu Street
Santa Barbara, California 93101

Appeal of April 21, 2008 Planning Commission decision to approve the Tranquillon
Ridge Gas Project
Case No. 06RVP-00000-00001 and EIR No. 06EIR-00000-00005

Dear Honorable Members of the Board of Supervisors:

I am appealing the April 21, 2008 decision of the Planning Commission to approve the application of Plains Exploration and Production Company to develop the Tranquillon Ridge Oil and Gas Project and to certify the EIR for the project.

The Planning Commission failed to consider the significant and potentially devastating environmental impacts of the project. There is a huge risk of an offshore oil spill if the project goes forward. In fact, in 1997, an oil spill from the platform the project plans to use resulted in 6,000 gallons of oil polluting approximately 40 miles of our precious shoreline. Many seabirds and other aquatic life were killed as a result. The environment cannot tolerate another spill. We need to stop all off-shore oil drilling because it puts at risk thousands of marine species, including the endangered brown pelican, sea otters, seals and sea lions.

I live at 1252 San Miguel Avenue in Santa Barbara, and my family and I hike all along the Santa Barbara coast. I would hate to see this lovely coastline polluted by yet another oil spill from off-shore oil rigs.

Please understand that I recognize the importance of the vast oil reserve in our area, and I support and encourage the development of a less risky means of extracting the oil.

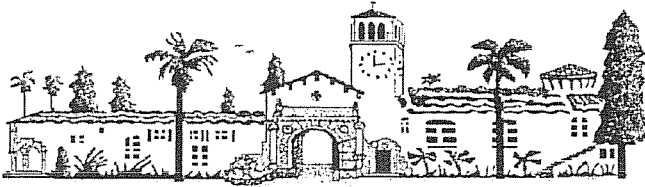
I request that the Board of Supervisors overturn the decision of the Planning Commission regarding this project and direct your Planning Staff to come up with a less destructive alternative.

Sincerely,

Bruce W. Bell

ATTACHMENT D.2

P&D Letter to Appellant dated May 8, 2008



County of Santa Barbara Planning and Development

John Baker, Director

Dianne Black, Director Development Services

John McInnes, Director Long Range Planning

May 8, 2008

Bruce W. Bell
1252 San Miguel Avenue
Santa Barbara, CA 93109

Mr. Bell:

We received your appeal dated May 1, 2008 of the County Planning Commission's April 21, 2008 approval of PXP's Tranquillon Ridge project. The County's Land Use and Development Code sets forth the definition of an aggrieved person who may file such an appeal. An aggrieved person is defined as follows:

Land Use and Development Code Section 35.102.020 - General Appeal Procedures

- A. Who may appeal.** An appeal may only be filed by an applicant or any aggrieved person. An aggrieved person is defined as any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing or decision, informed the review authority of the nature of their concerns or who for good cause was unable to do either.

We did not receive any communications from you, either written or oral, during the environmental review process (EIR #06EIR-00000-00005) or the Planning Commission decision-making process associated with the Tranquillon Ridge project (06RVP-00000-00001). We also have no record that your concerns were represented by others at or before the Planning Commission hearing.

In light of the above definition and the lack of correspondence from you on this project, we request that you submit a letter providing evidence that you have standing to appeal the Planning Commission's April 21, 2008 decision. You may submit this letter to me at the Energy Division, Planning and Development Department, 123 East Anapamu Street, Santa Barbara, CA 93101 or via e-mail to me at Kevin@co.santa-barbara.ca.us or to Nancy Minick at NMinick@co.santa-barbara.ca.us.

Development Review
Building & Safety
Energy, Administration
123 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 568-2000
FAX: (805) 568-2030

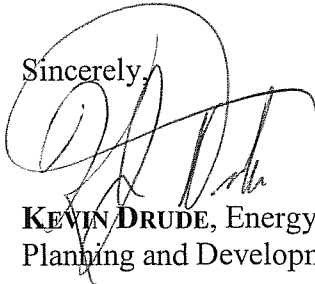
Long Range Planning
30 E. Figueroa St, 2nd Floor
Santa Barbara, CA 93101
Phone: (805) 568-3380
FAX: (805) 568-2076

Building & Safety
185 West Hwy 246, Ste 101
Buellton, CA 93427
Phone: (805) 686-5020
FAX: (805) 686-5028

Development Review
Building & Safety
Agricultural Planning
624 W. Foster Road
Santa Maria, CA 93455
Phone: (805) 934-6250
FAX: (805) 934-6258

If you have any questions, please call me at (805) 568-2519 or Nancy Minick at (805) 568-2506.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Drude', written over the word 'Sincerely,'.

KEVIN DRUDE, Energy Specialist
Planning and Development Department

cc: William Dillon, County Counsel
Doug Anthony, Deputy Director, Energy Division
Nancy Minick, Planner