

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:

Prepared on: December 1, 2004
Department Name: Planning and Development
Department No.: 053
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TO: Board of Supervisors

FROM: Valentin Alexeeff, Director
Planning and Development

STAFF CONTACT: Steve Chase, Deputy Director x2520
Luis Perez, Energy Specialist x2034

SUBJECT: ARCO PRC-421 "Bird Island" Pier Removal Coastal Development Permit Application to the California Coastal Commission

Recommendation: That the Board of Supervisors execute a letter to the California Coastal Commission (CCC) recommending denial of ARCO's application to partially abandon in-place their remnant oil pier structure off the Goleta coast, replacing the deteriorated infrastructure with new roosting/nesting platforms, thereby setting a precedent for other "rigs-to-reef" projects.

Alignment with Board Strategic Plan: The recommendation is primarily aligned with Goal No. 5. Maintain and Enhance the Quality of Life for All Residents.

Executive Summary and Discussion: The Atlantic Richfield Company (ARCO) in conjunction with the State Lands Commission and at the petition of the Department of Fish and Game, proposes to topple and partially abandon-in-place their remnant oil pier structure off the Goleta coast, replacing the former pier with new 40 ft. free standing platforms. The Energy Division, representing the City of Goleta and the County, formally opposed this landmark project at the California State Lands Commission hearing in El Segundo on June 7, 2004. Historically, Santa Barbara County, the California State Lands Commission and the California Coastal Commission have required that subsea structures related to oil and gas production be fully removed during facility abandonment. If approved, ARCO's current proposal would be an exception to this long-held standard. It is our opinion that to date, the evidence in support of such an exception has been lacking as follows:

- ◆ Lack of evidence for calling the site significant habitat for the federally endangered, California brown pelican as described in the Final EIR, dated May 2004.
- ◆ Lack of evidence that the site would be re-colonized by sensitive marine birds (Brandt's cormorants and brown pelican) after the new facility is built.
- ◆ Lack of evidence demonstrating the need for enhanced kelp habitat and hard-bottom substrate at the site. Therefore, toppling of the caissons and addition of rock rip-rap is excessive and constitutes "reefing".
- ◆ Inadequate evidence supporting the 72 ft. height requirement for the proposed roosting/nesting platforms. The structural integrity of the platforms could likely withstand the 100 year wave in a different configuration that would not be as visually intrusive.

Energy Division staff feel that it is in the County's best interest to submit a letter (see attached) to the California Coastal Commission recommending denial of ARCO's Coastal Development Permit application based on the inadequacy of supporting information in the Final EIR for this project. As a rule, the County prefers to see all infrastructure related to oil and gas production removed and the site restored to pre-project conditions. However, ARCO's proposed project would be the first deviation from this rule in Santa Barbara County and it would be desirable to avoid setting a precedent for approval of other "rigs-to-reef" projects in this area.

Fiscal and Facilities Impacts: All costs associated with review of this project will be incorporated into the Energy Division policy team budget. No staff changes are proposed. No additional budgeting is necessary.

Special Instructions: Please see attached letter for execution by the Board of Supervisors. Please send a copy of the signed letter to staff contact, Luis Perez. Energy Division staff will mail additional copies to interested parties as indicated.

Concurrence: N/A

Attachment: Letter to be executed, dated December 14, 2004

December 14, 2004

Mike Reilly, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Re: ARCO PRC-421 Pier Removal Project, Coastal Development Permit application

Dear Mr. Reilly:

As you are aware, the Atlantic Richfield Company (ARCO) in conjunction with the State Lands Commission and at the petition of the Department of Fish and Game, proposes to topple and partially abandon-in-place its remnant oil pier structure off the coast of Goleta in Santa Barbara County, replacing the deteriorated pier with new bird roosting/nesting platforms that would extend 40 ft. above the sea surface, thereby setting a precedent for other "rigs-to-reef" projects along the California coastline. The Santa Barbara County Energy Division, also representing the City of Goleta, formally opposed this landmark project at the California State Lands Commission hearing in El Segundo on June 7, 2004. Santa Barbara County and your Commission have, in the past, required that all subsea structures related to oil and gas production be fully removed during facility abandonment. If approved, ARCO's current proposal would be an exception to this long-held standard. If an exception is to be made, substantial evidence to warrant such an aberration must be presented. It is our opinion that to date, the evidence has been lacking and we recommend that your Commission deny ARCO's application for a Coastal Development Permit based on the following:

1. Lack of evidence for calling the site significant habitat for the federally endangered, California brown pelican. The Draft EIR states, "Brown pelicans use the PRC 421 remnant structure as a day roost and probably as a night roost... generally, these pelicans are identified as having a moderate level of site fidelity [emphasis added]." The discussion is more anecdotal than factual and lacks supporting data indicating the need for *in situ* habitat replacement.
2. Lack of evidence that the site would be re-colonized by marine birds (especially Brandt's cormorants and California brown pelicans) after the new facility is built. In addition, no deadlines for colonization have been identified. The new structure

would be leased to the Department of Fish and Game (CDFG) for maintenance over a period of 49 years, however no plans for removal have been put forward if the project is unsuccessful in recruiting marine birds.

3. Lack of evidence demonstrating the need to enhance kelp habitat and supplement hard bottom substrate at the site. As stated in the Final EIR, "The quantity of giant kelp on all of the [underwater pier] structures, except the rock pile, appeared to be small according to Littoral Services' analysis. Thus the loss of the existing steel supports and caisson remnants supporting kelp should not create a significant reduction in kelp biomass." Therefore, toppling of the caissons without removal and the addition of rock rip-rap is excessive and constitutes unnecessary artificial reefing.
4. Inadequate evidence supporting the 72 ft. height requirement for the proposed roosting/nesting platforms. It is likely that the structural integrity of the platforms could withstand the 100 year wave in a different configuration that would not be as visually intrusive.

Recommendation

The original project identified in the Draft EIR of 2002 was complete removal of the caissons and pier structure; no roosting/nesting platforms were to be constructed. The Draft EIR of 2004 assesses an unavoidable biological resource impact to this original alternative due to the loss of "valuable offshore roosting/nesting areas, as defined by the CDFG for California brown pelican and Brandt's cormorants." However, as noted above we believe the proposed roosting/nesting platforms would create a negative visual impact on the recreational quality of this area. It is preferable that our beach and nearshore resources remain undeveloped.

The Santa Barbara County Board of Supervisors recommends that the California Coastal Commission deny this project and instead, support full abandonment and removal of the remnant pier structure, in favor of an alternative site restoration program that would provide appropriate mitigation for loss of marine bird habitat without erecting new free-standing structures off our coastline, thus avoiding creation of a precedent for approval of other rigs-to-reef projects.

Sincerely,

JOSEPH CENTENO, CHAIR
SANTA BARBARA COUNTY BOARD OF SUPERVISORS

Mr. Mike Reilly, Chair
California Coastal Commission
December 14, 2004
Page 3

cc. Goleta City Council members
Ken Curtis, City of Goleta
Peter M. Douglas, Executive Officer of the California Coastal Commission
Paul D. Thayer, Executive Officer of the California State Lands Commission

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