

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for

ExxonMobil Interim Trucking for Santa Ynez Unit Phased Restart

Hearing Date: September 29, 2021
Staff Report Date: September 8, 2021
Case Nos.: 17RVP-00000-00081

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Environmental Document:
19EIR-00000-00001/SCH #2018061035

OWNER / APPLICANT

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The ExxonMobil Las Flores Canyon facility is located within APNs 081-220-014, 081-230-019, and 081-230-025 at 12000 Calle Real, approximately 12 miles west of the City of Goleta, in the Third Supervisorial District.

1.0 REQUEST

Hearing on the request of ExxonMobil Production Company (ExxonMobil), to consider Case No. 17RVP-00000-00081 (application filed on September 22, 2017) to:

- Approve Revised Development Plan No. 87-DP-32cz to allow the installation and operation of a new oil tanker truck loading rack and appurtenant equipment at ExxonMobil's onshore Las Flores Canyon (LFC) processing facility in order to transport produced crude oil via diesel-driven Department of Transportation (DOT) 407 tanker trucks from the LFC to two receiving terminals: Phillips 66 Santa Maria Pump Station (SMPS) at 1580 E. Battles Road in Santa Barbara County, and the Plains Pentland Terminal at 2311 Basic School Road in Kern County; and

- Certify Supplemental Environmental Impact Report (Final SEIR) No. 19EIR-00000-00001 (SCH#2018061035), pursuant to the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. As a result of this project, significant and unavoidable effects on the environment are anticipated in the following category: Hazardous Materials/Risk of Upset.

The SEIR is available at the County's Planning and Development Department website at:

<https://www.countyofsb.org/plndev/projects/energy/ExxonMobil-InterimTrucking.sbc>.

Hard copies of the SEIR are available for review at the County office at 123 East Anapamu Street, Santa Barbara via appointment with the project planner. Appointments shall be based on guidance from the California Department of Public Health, and the County of Santa Barbara's Public Health Department regarding COVID-19.

The proposed project involves Assessor Parcel No. 081-220-014, 081-230-019, and 081-230-025 which contain the LFC facilities, located at 12000 Calle Real on the Gaviota coast, approximately 12 miles west of the City of Goleta and one mile north of Highway 101, in the Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors conditionally approve Case No. 17RVP-00000-00081, marked "Officially Accepted, County of Santa Barbara Planning Commission Attachments A-F (September 29, 2021)", based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan and the Gaviota Coast Plan, and based on the ability to make the required findings.

The Planning Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for approval of a modified project as specified in Attachment A to this staff report, including CEQA findings.
2. Recommend that the Board of Supervisors certify the Final SEIR No. 19EIR-00000-00001; SCH# 2018061035 (Attachment C), as modified by the Final SEIR Revision Letter No. 1 dated September 8, 2021 (Attachment D), and adopt the mitigation monitoring program contained in the Conditions of Approval (Attachment B).
3. Recommend that the Board of Supervisors approve the ExxonMobil Modified Interim Trucking Project (Case No. 19RVP-00000-00081), consisting of the proposed project modified by adding two combined alternatives (Trucking to the SMPS-only [while available], and No Trucking During Rainy Periods), subject to the conditions of approval included in Attachment B to this staff report.

Please refer back to staff if the Planning Commission takes other than the recommended actions for appropriate findings and conditions.

3.0 JURISDICTION

The County Planning Commission is considering the proposed project based on the following:

- Article II Coastal Zoning Ordinance (CZO) Section 35-174.10.3 and Land Use Development Code (LUDC) Section 35.84.040.E require that a revision of a previously approved Development Plan be processed in the same manner as a new Development Plan application. Because the Planning Commission was the review authority for the original Development Plan, the Planning Commission is also the review authority for the requested Development Plan revision.
- Article II, Section 35-154 (Onshore Processing Facilities Necessary or Related to Offshore Oil and Gas Development) and LUDC Section 35.52.060 (Treatment and Processing Facilities) identify requirements specific to onshore processing facilities related to offshore oil and gas development. Article II Section 35-154 and LUDC Section 35.52.060 direct that onshore processing facilities be required to transport oil processed by the facility by pipeline, and identify circumstances when transportation by another mode may be permitted. These circumstances include when the County finds that use of a pipeline is not feasible due to a pipeline to the shippers' refining center of choice being unavailable within a reasonable period of time (CZO Sec. 35-154.5.i[4][a] and LUDC Sec. 35.52.060.B.10.b).
- A permit based on the finding that use of a pipeline is not feasible due to it being unavailable within a reasonable period of time, among other conditions outlined in CZO Sec. 35-154.5.i(4)(a) and LUDC Sec. 35.52.060.B.10.b, may be granted by the Board of Supervisors, and is subject to appeal to the Coastal Commission. Therefore, for this project, the Planning Commission's action will be to make a recommendation to the Board of Supervisors. The Planning Commission's action on the proposal is not appealable and will be forwarded to the Board of Supervisors for consideration at a noticed public hearing.

4.0 ISSUE SUMMARY

4.1 Project Overview

ExxonMobil ("Applicant") is proposing a phased approach to restarting oil production at its existing Santa Ynez Unit (SYU) facilities, consisting of offshore platforms Hondo, Harmony, and Heritage, and an onshore processing facility at the LFC, by:

- 1) Constructing a tanker truck loading rack and ancillary equipment within the LFC; and

- 2) Initiating interim trucking of limited crude oil production (approximately 11,200 barrels/day) from the LFC to two receiving terminals until pipeline transport becomes available.

As proposed, the project would allow for the transport of SYU processed oil via tanker truck from the LFC to the following two receiving sites along pre-determined routes: (1) the Phillips 66 SMPS, located near the City of Santa Maria in northern Santa Barbara County; and (2) the Plains Pentland Terminal, located near the City of Maricopa in southwestern Kern County. Trucking would occur seven days per week, 24-hours per day, with no more than 70 trucks leaving the LFC within a 24-hour period to the SMPS, and no more than 68 trucks leaving the LFC within a 24-hour period to the Pentland Terminal. No more than 24,820 to 25,550 total round-trip truck trips from the LFC to the receiver sites would occur per year (24,820 trucks annually to the Pentland Terminal, 25,550 trucks annually to the SMPS, or a combination of the two receiving stations). The lifetime of the interim trucking project is expected to be four to seven years, and would not exceed seven years unless extended by County decision-makers.

Previous environmental documents (83-EIR-22) were prepared and certified for the SYU Project's Final Development Plan No. 87-DP-32cz in 1984 and 1986 (Attachment E). Planning and Development (P&D) staff determined that the proposed trucking project has the potential to cause significant adverse effects on the environment, and a Supplemental EIR (SEIR) was prepared pursuant to Section 15163 of the CEQA Guidelines. The SEIR identified significant effects on the environment in the following category: Hazardous Materials and Risk of Upset. Significant environmental impacts as identified in the SEIR are discussed in Section 6.0 of this staff report. Other key issues raised in public response to the Draft SEIR are summarized in Section 4.4.

4.2 Planned Shutdown of the Phillips 66 Santa Maria Pump Station

The proposed Final SEIR was re-released in August 2021 (Revised Final SEIR No. 19EIR-00000-00001) after its initial release in July 2020 in order to address the planned shutdown of the Phillips 66 SMPS, one of two trucking destinations for the proposed project. Shutdown of the SMPS during the lifetime of the proposed project would require that all crude oil be transported to the Plains Pentland Terminal once the SMPS is out of service. In addition, between the previous release of the proposed Final SEIR and the current version, the County updated Chapter 18 of the Thresholds of Significance for Transportation Impacts of the Environmental Thresholds and Guidelines Manual to shift from level of service (LOS) to vehicle miles traveled (VMT)-based metrics pursuant to CEQA Guidelines Section 15064.3. The Final SEIR was updated to address these new transportation impact thresholds, and also includes a number of other minor modifications and editorial updates throughout the document. None of these updates would result in any new impacts, nor change the severity of any of the impacts identified in the previous proposed Final SEIR. This information does not trigger any of the thresholds for recirculation identified under CEQA Guidelines Section 15088.5(a) [Recirculation of an EIR prior to certification].

4.3 Staff Recommendation – Modified Interim Trucking Project

Staff is recommending, and the Applicant supports, the proposed project as modified by the following combination of two project alternatives assessed in the Final SEIR and Final SEIR Revision Letter No. 1: (1) Trucking to the SMPS Only Alternative (while available); and (2) No Trucking During Rainy Periods Alternative. This Modified Interim Trucking Project (Modified Project) is described in Section 5.3 and throughout this staff report, and analyzed in the Final SEIR Revision Letter No. 1 (Attachment D). Because staff recommends approval of the Modified Project, this staff report focuses on the analysis of the Modified Project. When referring to the originally proposed project that is analyzed in the SEIR, this staff report refers herein to the “proposed project”.

Changes included in the Modified Project are as follows:

- Eliminating trucking during heavy rain periods. Trucking operations would be prohibited during periods of heavy rain (defined as a 50% chance of receiving ½-inch or more in a 24-hour period) unless the rain event does not materialize. Trucking would stop four (4) hours prior to the start of a heavy rain event for trucks going to the SMPS, and six (6) hours prior to the start of a heavy rain event for trucks going to the Pentland Terminal. Trucks would not be able to resume trucking until the rain event ends, and no rain is forecasted for an additional 24 hours along the trucking routes. To make up for lost trips during rain events, daily trucking would be increased from 68 - 70 to 78 trucks per day to both receiver sites. There would be no limitation on how many consecutive days 78 trucks could go to the receiver sites; however, truck trips would be limited to the annual maximum of 24,820 trucks to the Pentland Terminal, and/or 25,550 trucks to the SMPS annually.
- Eliminating the Pentland Terminal as one of the main receiver sites for as long as the SMPS is under normal operations. The Pentland Terminal would only be used as a receiving site (limited to a maximum of 34 trucks per day in order to remain under the County thresholds for nitrogen oxide [NO_x] emissions), if the truck loading facilities at the SMPS are temporarily down for an extended period of time, defined as 10 consecutive days or more. Once the SMPS is permanently shut down (projected for 2023), a maximum of 78 trucks per day would travel to the Pentland Terminal, limited to the annual maximum of 24,820 trucks per year (average of 68 trucks per day).

ExxonMobil would provide trucking data, including the total number of trucks per day to each trucking destination, to the County Systems Safety and Reliability Review Committee (SSRRC) as part of the project’s Environmental Quality Assurance Program (EQAP) on a monthly basis. P&D compliance monitoring staff would maintain data on file, and would verify that truck trips would not exceed the maximum daily and annual amounts.

Major project components and differences are summarized in Table 1 below. For a complete description of the Applicant’s proposed project, please see Section 2.0 of the SEIR. For a detailed description of the staff-recommended alternative, see Section 5.3 of this staff report.

Table 1. Differences between the Applicant-Proposed Project and the Modified Project	
Applicant-Proposed Project	Modified Interim Trucking Project
<p>Trucking to the SMPS and Pentland Terminal seven days per week, 24-hours per day, with no more than 68 - 70 trucks leaving the LFC within 24-hours. Depending on the destination, annual number of trucks would be limited to 24,820 (Pentland) to 25,550 (SMPS) per year.</p>	<p>Trucking to the SMPS seven days per week, 24-hours per day, with no more than 78 trucks leaving the LFC within 24-hours while the SMPS is operational. Limited trucking (34 trucks per day maximum) to the Pentland Terminal allowed only when SMPS is temporarily non-operational for 10 consecutive days or more. Annual number of trucks would be limited to 25,550 per year. This modification would only be applied while the SMPS is operational. Upon permanent closure of the SMPS (projected for 2023), all project trucks would travel to the Pentland Terminal. No more than 78 trucks leaving the LFC within a 24-hour period, within the annual limit of 24,820 trucks per year. Monthly trucking data would be submitted to the SSRRC, and P&D compliance monitoring staff would verify that truck trips would not exceed the maximum daily and annual truck trips.</p>
<p>No restrictions to trucking during rainy periods.</p>	<p>Trucking prohibited during heavy rain events (50% change of receiving ½-inch of rain or more in a 24-hour period). Trucks would not be able to resume trucking until the rain event ends, and no rain is forecasted for an additional 24 hours along the trucking routes. To make up for lost trips during rain events, daily trucking would be increased from 68 - 70 to 78 trucks per day on dry days; however</p>

	<p>the annual limit to the number of trucks would remain at 24,820 (Pentland) to 25,550 (SMPS) per year.</p>
<p>Installation of four Lease Automatic Custody Transfer (LACT) Units to measure the net volume and quality of oil, associated piping, electrical and communication connections, pipe and equipment supports, truck loading racks, operator shelter, paving of selected areas, and minor containment and drainage grading.</p>	<p>No change. Installation of four LACT Units to measure the net volume and quality of oil, associated piping, electrical and communication connections, pipe and equipment supports, truck loading racks, operator shelter, paving of selected areas, and minor containment and drainage grading.</p>

4.4 Public Comment Concerns

Key issues raised in public response to the Draft SEIR included the project’s baseline analysis, risk of an oil spill, SYU air and greenhouse gas (GHG) emissions, and traffic safety. A summary of each key issue and its associated response is provided below.

4.4.1 SEIR Baseline

Many comments on the Draft SEIR focused on the SEIR’s determination and analysis of the environmental baseline. As the CEQA lead agency, the County has discretion when determining the appropriate baseline based on the facts of the project, as long as there is substantial evidence in the record to support the determination.

Because the SYU is entitled under an existing County-issued Final Development Plan (FDP No. 87-DP-32cz) which has undergone both CEQA and National Environmental Policy Act (NEPA) review, and because the Applicant may restart the SYU facilities at any time without approval from County decision-makers, the baseline for the proposed project was determined to be the physical conditions when the project’s CEQA Notice of Preparation (NOP) was released in 2018, adjusted to include a 3-year actual operating average of the SYU facilities from 2012 – 2014 (the last three fully operational years prior to the SYU shut-in in 2015).

This averaged baseline allows for a clear assessment of the proposed project impacts, and avoids confusing the impacts of the proposed project with the permitted operations of the existing SYU facilities. The operational years chosen for the baseline represent a reasonable scenario and include conservative estimates for operational situations related to traffic, air, and risk. For example, the average SYU crude oil production rate for 2012 - 2014 was 28,400 barrels per day (bpd), which is less than the historical average for the past 19 years of SYU operations of 48,866 bpd, less than a

production peak of 94,968 average bpd achieved in 1996, and well under the permitted limit of the SYU facilities of 140,000 bpd (SEIR Table 4.0-1).

4.4.2 Risk of an Oil Spill

Many comments on the Draft SEIR expressed public concern for the risk of oil spills. The SEIR identifies one Significant and Unavoidable (Class I) impact that relates to an accidental spill of crude oil from a truck accident that would have the potential to impact sensitive resources. The consequences to sensitive resources if a spill occurs are not completely avoidable, and could be significant. Mitigation measures in the SEIR are focused on reducing the frequency of occurrence and the magnitude and spread of potential spills, as well as reducing impacts from clean-up and restoration activities. However, these measures do not guarantee that significant impacts would not occur. The Significant and Unavoidable impact and associated mitigation measures are described in further detail in Section 6.2 of this staff report.

The SEIR also includes details of a tanker truck accident and oil spill that occurred on March 21, 2020 along State Route 166 that released about 4,500 gallons of crude oil into the Cuyama River. Details were added to the SEIR after the draft document was released to describe what could happen in a spill event, including response and clean-up measures. P&D discussed lessons learned from the March 2020 incident with the Santa Barbara County Fire Department, and additional mitigation measures were added to the SEIR to support hazardous materials response (SEIR Section 4.3).

4.4.3 SYU Restart Emissions and Project GHG Emissions

Many comments on the Draft SEIR expressed concerns about excluding the SYU's restart emissions from the proposed project's emissions calculations. P&D determined that the restart of the SYU facilities are part of baseline operations, and therefore, air and GHG emissions related to SYU restart operations are not included in the project's emissions calculations (SEIR Sections 4.1 and 4.2 respectively). However, the SEIR recognizes that the SYU operations would be ongoing at the same time the proposed project is operational, and the existing equipment that would be used to produce/process the crude oil and gas would also generate emissions during the proposed project's operational phase. Because of this, the SYU restart and operational emissions are included in the project's cumulative analysis (SEIR Section 3.0). The SEIR details two potentially Significant but Mitigable (Class II) impacts regarding the project's air quality and GHG emissions. The potentially Significant but Mitigable impacts and associated mitigation measures are described in further detail in Section 6.3 of this staff report.

4.4.4 Traffic Safety

Some comments on the Draft SEIR expressed concern regarding traffic safety along the trucking routes, including safety of pedestrians and bicyclists along Calle Real at El Captain Beach Road

and Refugio Road, which are entrances to state beaches. In response to these comments, pedestrian, bicycle, and vehicle counts were collected for both intersections, and a viewpoint analysis was conducted for various points along Calle Real and included in the SEIR. The SEIR details two Significant but Mitigable impacts regarding traffic and circulation. The Significant but Mitigable impacts and associated mitigation measures are described in further detail in Section 6.3 of this staff report.

5.0 PROJECT INFORMATION

5.1 Site and Project Information

Table 2. Site Information	
Comprehensive Plan Designation and Zoning	The Project parcel (APN 081-220-014) is designated A-II-100 and is zoned M-CR (Coastal-Related Industry)
Surrounding Uses/Zone(s)	<u>North:</u> Agriculture (crops, grazing)/AG-II-320 and AG-II-100 <u>South:</u> US 101/TC (Transportation Corridor), State Beaches/REC (Recreation), Rural Residential/RR <u>East:</u> Agriculture (crops, grazing)/AG-II-320 and AG-II-100 <u>West:</u> Agriculture (crops, grazing)/AG-II-320 and AG-II-100
Access	Regional access to the Project LFC site is via US 101, Refugio Rd., and Calle Real Rd. Trucks would also use Betteravia Rd., Rosemary Rd. and Battles Rd. to/from the Santa Maria Pump Station and roadways in Santa Maria and State Route 166 to/from the Pentland Terminal
Other Site Information	The Project parcel houses the ExxonMobil Santa Ynez Unit oil and gas processing and transportation facilities and is adjacent to and north of the California Coastal Commission’s Coastal Zone Boundary. The receiving terminals are at the Phillips 66 SMPS east of Santa Maria (Santa Barbara County), and the Plains Pentland Terminal in Maricopa (Kern County)
Public & Private Services	<u>Water Supply:</u> Private onsite wells for domestic use and industrial uses <u>Sewage:</u> Private onsite septic system <u>Fire:</u> Primarily County Fire Stations 38 (17200 Calle Mariposa Reina) and 32 (906 Airport Rd., Santa Ynez). Onsite fire water and fire suppression equipment are located at Las Flores Canyon. Fire stations along or near the trucking routes include: Station 31 (Buellton), 24 (Los Alamos), 26 (Orcutt), 23 (Sisquoc), and 27 (New Cuyama) <u>Police Services:</u> County Sheriff

Table 2. Site Information	
Modified Project Information	
LFC	1 new truck loading rack with 4 loading bays
	Loading time: 45 minutes
	No new permanent employees
	Equipment: 4 LACT units, fire monitor at Truck Loading Area
	Grading: 500 cubic yards
	Construction Schedule: 4 to 6 months; 8-30 workers onsite
SMPS 1560 Battles Rd	Operates 24 hours/day, 7 days/week
	145-170 trucks/day unloading capacity
	78 SYU (round trip) trucks/day within the annual maximum limit (average 70 trucks per day)
	Annual maximum SYU truck round trips: 25,550
	Truck round trip distance: 108.4 miles
	Truck route: Calle Real, US 101, Betteravia Rd., Rosemary Rd., Battles Rd
Pentland Terminal 2311 Basic School Rd	Operates 24 hours/day, 7 days/week
	210 trucks/day capacity
	Up to 34 SYU round trips/day while SMPS is in extended, yet temporary, shutdown
	78 SYU round trips/day once the SMPS is permanently shutdown within the annual maximum limit (average 68 trucks per day)
	Annual maximum SYU truck round trips: 24,820
	Truck round trip distance: 280 miles
	Truck route: Calle Real, US 101, Hwy 166, Basic School Rd

5.2 Setting

The Modified Project consists of stationary construction within the LFC (outside of the coastal zone boundary) along the Gaviota coast, as well as trucking along transportation routes between the LFC and Santa Maria via U.S. Highway 101, and the LFC and Maricopa via U.S. Highway 101 and California State Route 166. In general, habitats within the project area consist of chaparral, coastal sage scrub, riparian woodland, and grasslands.

The ExxonMobil LFC facility is located on a 550-acre parcel zoned M-CR (Coastal Related Industry), at 12000 Calle Real north of Goleta. The land is a narrow canyon used principally for oil and gas processing. The site has various developed areas intermingled with natural habitat. Coral Creek, an Environmentally Sensitive Habitat Area (ESHA), runs through the canyon surrounding the LFC facilities. Surrounding land uses include agriculture and recreation/open space.

The Phillips 66 SMPS is located at 1560 East Battles Road, east of the City of Santa Maria in northern Santa Barbara County. The Plains Pentland Terminal is located at 2311 Basic School

Road, west of the City of Maricopa, in southern Kern County. Both facilities consist of existing developed land used principally for oil and gas processing and transportation.

Various sensitive biological species, critical habitats and natural communities of concern, ESHA, waterbodies, and wildlife movement corridors are present along the truck routes. The southernmost portion of the truck route is within the coastal zone and passes near sensitive marine resources. In addition, 39 known cultural resources intersect or are adjacent to the trucking routes (i.e., within the roadway or adjacent shoulders).

5.3 Summary of Modified Interim Trucking Project Description

The following provides a summary of the Modified Project Description. Figures referenced below are included as exhibits (Attachment F) to this staff report.

The Modified Project would facilitate the phased restart of limited offshore oil production at the SYU by initiating interim trucking of crude oil to the SMPS while it's available, and then to the Pentland Terminal, until a pipeline becomes available to transport SYU crude oil to refinery destinations, or after seven years, whichever is shorter. The Modified Project consists of the construction and operation of a truck loading rack and associated ancillary equipment within the LFC facilities, and trucking of the crude oil to either or both the Phillips 66 SMPS on East Battles Road in northern Santa Barbara County, and the Plains Pentland Terminal on Basic School Road in southern Kern County. Up to 78 trucks per day (during dry days) would travel from the LFC facility to the SMPS as long as the facility is in operation (estimated until sometime in 2023 based on recent conversations with Phillips 66). In the event of an extended, yet temporary, shutdown of the SMPS (defined as 10 consecutive days or more), ExxonMobil would be allowed to transport crude oil to the Pentland Terminal at a maximum of 34 trucks per day.

Following the permanent shutdown of the SMPS, all Modified Project trucks would be allowed to transport crude oil to the Pentland Terminal with a maximum of 78 trucks per day within the annual maximum limit of 24,820 trucks per year (average of 68 trucks per day). ExxonMobil would provide monthly trucking data to the SSRRC, and P&D compliance monitoring staff would verify that truck trips would not exceed the daily and annual maximums.

5.3.1 LFC Truck Loading Improvements

Construction of the truck loading facilities would include site preparation, installation of pipe racks and associated piping, installation of a truck loading rack and operator shelter, and electrical/instrumentation installation.

All truck loading improvements would be located within the confines of the LFC facility, and outside of the coastal zone. The location of the proposed truck loading facilities is shown in SEIR Figure 2-2. Modifications to the LFC facilities would include the following:

- A new truck loading rack with four loading bays to be built at an existing previously disturbed pad at the LFC facility.

- New piping to transport crude oil to the truck loading rack and to transport truck vapors back into the LFC vapor recovery system for processing and use as fuel.
- Four LACT units installed for royalty determination purposes as required by the federal Bureau of Safety and Environmental Enforcement (BSEE).
- Associated electrical and communication connections, pipe and equipment supports, operator shelter, paving of selected areas, and minor containment and drainage grading.

The truck rack would be constructed over loading lanes, similar to a bridge. The loading racks would be equipped with crude loading and vapor recovery hoses that would be connected to the trucks. The truck rack would be capable of loading up to four trucks at a time. SEIR Figure 2-3 shows the proposed layout of the truck loading facilities.

An estimated 500 cubic yards of grading would be needed to construct pipe supports, containment, and fire protections system alterations and about 0.41-acres of the site would be paved.

5.3.2 Truck Loading Operations

Truck loading at the LFC facility would occur at a previously disturbed area immediately north of existing crude oil storage tanks. During loading, safety measures would be in place to reduce or eliminate the potential for spills and fires. Empty trucks would arrive at LFC and proceed to one of the four loading stations. A loading hose and vapor recovery hose would be connected to the truck, the vapor recovery system valve would be opened and the LACT units activated, and then the oil line valve would be opened to load the crude into the truck.

5.3.3 Personnel

Operation and maintenance of the truck loading facilities would be staffed via the existing base of SYU staff. The Applicant would contract with third-party trucking companies for the transport of crude oil.

5.3.4 Receiving Facilities

The crude oil would be trucked to the SMPS under normal operations for as long as the facility is in operation. Trucks would travel from the LFC facility to the SMPS, making a maximum of 78 round trips per day (156 one-way trips). The total number of crude oil transport trucks leaving the LFC facility per year would be limited to a maximum of 25,550 trucks. In the event of an extended, yet temporary, shutdown at the SMPS (defined as 10 consecutive days or more), a maximum of 34 trucks per day of crude oil could be trucked to the Pentland Terminal in Kern County during the SMPS disruption. Thirty-four (34) is the number of trucks that could travel to the Pentland Terminal without exceeding the County significance threshold for NO_x emissions (SEIR Section 5.2.4).

If the extended SMPS shutdown lasts more than about 20 consecutive days, the SYU facilities would likely need to be shut-in due to assumed storage capacity. Once the SMPS re-starts

operations, peak truck trips could resume at a maximum of 78 trucks per day to the SMPS; however, the annual number of trucks leaving the LFC facility would still be limited to a maximum of 25,550 per year.

Once the SMPS is permanently shutdown, all project trucks would be able to travel to the Pentland Terminal with a maximum of 78 round trip trucks per day; however, the annual number of trucks leaving the LFC facility would be limited to a maximum of 24,820 trucks per year (average of 68 trucks per day, or 136 one-way trips).

The trucks used for carrying the crude oil would be year 2017 or newer, diesel-driven DOT 407 tankers (low-pressure bulk liquid cargo tank). Each truck would transport approximately 160 barrels of crude oil (equivalent to 6,720 gallons). Truck transportation would occur seven days per week, 24-hours per day, with no more than 78 truckloads leaving the LFC facility within a 24-hour period. Production from the SYU facilities during trucking operations would be up to 11,200 barrels of oil per day, which is about one-third (1/3) of the SYU's production prior to the facilities shut-in in March 2015.

5.3.5 Truck Routes

All trucks entering and leaving the LFC facility would use the Refugio Road on and off-ramps at U.S. Highway 101 from Calle Real. A forthcoming potential Caltrans project to replace the U.S. Highway 101 Bridge over Refugio Creek just west of the LFC would impact the Refugio Road southbound off-ramp for a three-week period each year during the three-year Caltrans construction period (estimated for 2024 through 2027). During these three-week periods, trucks would use the U.S. Highway 101 southbound El Capitan Road southbound off-ramp. The trucks would then use Calle Real from El Capitan Road to the LFC facility. Trucks traveling to the SMPS would exit U.S. Highway 101 at the Betteravia Road interchange in Santa Maria, and then use Betteravia Road and Rosemary Road, to Battles Road. Trucks traveling to the Pentland Terminal would exit U.S. Highway 101 at the State Route 166 interchange and use State Route 166 to Basic School Road.

After unloading at one of the two designated receiving facilities, the trucks would return directly back to the LFC facility to reload unless they need to undergo maintenance or driver changes. SEIR Figure 2-4 shows the truck routes to the two receiving facilities.

5.3.6 Rainy Day Limitation

Trucking operations would be prohibited during periods of heavy rain. For days when the National Weather Service predicts a 50% chance of receiving ½-inch of rain or more in a 24-hour period in the areas along the truck routes, no trucking shall occur unless the rain event does not materialize. Trucking shall stop four (4) hours prior to the projected start of the rain event for trucks going to SMPS, and six (6) hours prior to the rain event for trucks going to the Pentland Terminal. When at least ½-inch of rain is forecasted and trucking cannot occur, produced crude oil would be stored

in an existing LFC crude oil storage tank. Trucks would not be able to resume trucking until the rain event ends, and no rain is forecasted for an additional 24 hours along the trucking routes.

5.3.7 Abandonment

Once a pipeline alternative is available to transport the crude oil to market, or after seven years, whichever is shorter, interim trucking would cease and the installed piping and components at the LFC facility would be placed out of service and isolated from the crude and vapor transport lines. The maximum life of the Modified Project would be seven years, unless extended by County decision-makers under a separate development plan revision. The truck loading facilities would remain in place and would be abandoned at the end of the life of the original SYU Project.

5.4 Background Information

The following information is summarized from the proposed Final SEIR.

SYU Oil Production. Exxon began producing oil from Platform Hondo in 1981. At that time, crude oil was loaded onto marine tankers from an offshore storage and treatment vessel and transported to refining destinations. In 1983, the Pacific Offshore Pipeline Company (POPCO) completed the construction of gas processing facilities in the LFC, and began processing natural gas from Platform Hondo for the Santa Barbara County market. In 1987, Santa Barbara County Supervisors approved the consolidation of oil and gas processing in LFC and sanctioned oil transportation and sales via onshore pipeline. Construction of additional onshore LFC components were completed in May 1993, as well as two additional offshore platforms, Harmony and Heritage. Since late 1993, production from Platforms Hondo, Harmony, and Heritage has been processed at the LFC site and transported to buyers via the Lines 901 and 903 pipeline system, owned and operated by Plains All American Pipeline, LLC. Since 1993 to 2015, the Lines 901 and 903 pipeline system has been the only means of transporting crude oil from the SYU to various refinery destinations. For more detailed background information about the SYU Project, refer to SEIR Section 2.3.

Line 901 Release. On May 19, 2015, Plains All American Line 901 ruptured and released oil near Refugio State Beach, which resulted in a shutdown of both Lines 901 and 903. The pipeline system has remained out of service since the release, thereby eliminating ExxonMobil's only permitted transportation option for SYU crude oil. At the time of the shutdown of Line 901, oil production from SYU was about 27,500 bpd. Full SYU production was maintained for two days, until May 21, 2015 when production was curtailed to 10,000 barrels bpd to manage onsite storage tank levels. On May 25, 2015 production was further curtailed to 9,000 bpd.

2015 Emergency Trucking Denied. On June 4, 2015, ExxonMobil applied for an emergency permit to the County P&D Director to continue full SYU operations and transport produced oil via tanker truck. On June 9, 2015, the Director's decision denied the emergency permit due to inadequate evidence that a defined emergency existed. The Director's decision stated that the Applicant has the option of applying for transportation via tanker truck through the customary

permit process which would include CEQA review, policy and ordinance consistency analysis, and a public hearing. Production and storage from two of the three platforms, Harmony and Heritage, continued until June 17, 2015, at which time all platform wells were shut-in.

SYU Facility Preservation. In late June of 2015, ExxonMobil began implementing preservation plans for the SYU platforms and onshore facilities. Offshore platform wells were shut-in and isolated. Processing equipment on the platforms was drained, cleaned, and purged of hydrocarbons and filled with nitrogen. Gas pipelines were also purged with nitrogen. Emulsion pipelines between the platforms and the LFC facility were cleaned to remove hydrocarbons, and filled with seawater and preservation chemicals. To date, this fluid is tested monthly and lines are re-preserved and inspected every two years. To ensure the integrity of offshore well isolation, ongoing pressure monitoring remains in place and equipment has remained under a nitrogen blanket to prevent air ingress into the equipment. All utility systems and the firewater system remain in service.

Onshore facilities have similarly been preserved. All tanks, vessels, and associated equipment with hydrocarbons have been purged and filled with nitrogen. Utilities and limited water treating equipment have remained in service to support preservation, waste water disposal, and monitoring/surveillance activities. Safety and firewater systems remain in service.

ExxonMobil conducts a number of operational activities to maintain facility integrity, including preventative maintenance, corrective maintenance, and inspection programs. These measures are designed to maintain both facility and platform integrity, as well as ensure surveillance programs monitor the effectiveness of the equipment preservation. These ongoing measures and programs support compliance with applicable American Petroleum Institute (API) codes, specific standards within the Occupational Safety and Health Administration's (OSHA) process safety management system, U.S. DOT Pipeline and Hazardous Materials Safety Administration regulations, Environmental Protection Agency (EPA) Spill Prevention Control and Countermeasure (SPCC) requirements, and other applicable codes and regulations. Exxon's preservation program is overseen by various agencies, including the Bureau of Safety and Environmental Enforcement (BOEMRE), DOT, Santa Barbara County Environmental Health Services (EHS) Certified Unified Program Agency (CUPA), Santa Barbara County Fire Department, Santa Barbara County Air Pollution Control District (SBCAPCD), and the SSRRC.

2016 De-Inventory Emergency Trucking Approved. In February 2016, ExxonMobil submitted an emergency permit application to P&D to de-inventory approximately 400,000 barrels of crude oil contained in onsite storage tanks via tanker truck to the SMPS and the Pentland Terminal over a three- to six-month period. The emergency permit was approved, and subsequently issued on February 3, 2016. De-inventory trucking operations were successfully completed in September 2016, and consisted of approximately 2,500 tanker truckloads to both the SMPS and Pentland Terminal without incident. Following the de-inventory, the onsite storage tanks were purged, and the LFC facilities were determined to be hydrocarbon-free in February 2017.

2017 Plains Replacement Pipeline Project Application. In August 2017, Plains All American, LLC submitted an application to the County for the replacement of the Line 901 and 903 pipeline system. The application is currently being processed by P&D and is subject to environmental review under both CEQA and NEPA. As the Lead Agency under CEQA, County P&D and their consultant are preparing a Draft EIR in coordination with the County of San Luis Obispo and the County of Kern as Responsible Agencies. A Draft EIS is also being prepared by the County's consultant in coordination with the Federal Bureau of Land Management (BLM) and its Cooperating Agencies under NEPA. If approved, it is estimated that the Plains Replacement Pipeline Project would be constructed and operational in four to seven years from now, which parallels the timeframe for the Modified Project.

2020 Phillips 66 Announcement to Shutdown the SMPS. On August 12, 2020, Phillips 66 announced to P&D their plans to shut down the SMPS and its related facilities due to the planned conversion of Phillips 66's Rodeo refinery into a renewable fuel plant (known as the Rodeo Renewed Project).

The Rodeo refinery comprises two refining facilities in both Rodeo and Arroyo Grande, California. The existing system converts crude oil into semi-refined products at the Santa Maria Refinery (SMR) in Arroyo Grande, and the intermediate refined products are then pumped via pipeline to the Rodeo facility for the production of finished petroleum products. The Rodeo Renewed Project proposes to reconfigure this system so that the Rodeo refinery would produce renewable fuel and diesel. Under the Rodeo Renewed Project, the SMR and its related downstream facilities, including the SMPS, would no longer be needed and would be permanently shutdown and decommissioned. Currently, crude oil that is trucked to the SMPS from suppliers throughout California is pumped via pipeline to the SMR. Phillips 66 has indicated they plan to cease production at the SMR sometime in 2023, which means crude oil trucking to the SMPS would likely cease once refining operations are discontinued at the SMR.

At the time of the Phillips 66 announcement, the proposed Final SEIR and associated Planning and Development Staff Report for the interim trucking project had already been released to the public. Project hearings that were scheduled to be heard by the Planning Commission in September 2020 were placed on hold, and the County determined that the 2020 proposed Final SEIR needed to be reviewed and revised to address the future shutdown of the SMPS since it could occur during the lifetime of the project.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

In reviewing the Applicant's project application, staff determined that the proposed project had the potential to cause significant adverse effects on the environment and that an SEIR should be prepared. Because an EIR was previously prepared and certified for the SYU Project (Case No. 83-EIR-22 – Attachment E), the County determined that preparation of an SEIR would be

appropriate pursuant to Section 15163 of the State CEQA Guidelines. CEQA Guidelines Section 15163 indicates that preparation of an SEIR is appropriate where minor additions or changes are necessary to make the previous EIR adequate for the revised project.

The Draft SEIR for the project was released on April 12, 2019, and the public comment period ran through June 4, 2019. A public comment hearing was held on May 6, 2019 at the Santa Barbara County Administration Building, Board of Supervisors Hearing room in Santa Barbara and via teleconference at the Betteravia Government Center in Santa Maria. Volume II of the Final SEIR includes all comments received during the public comment period, and their associated responses in electronic format. Section 8.0 of the Final SEIR provides a summary of the key issues raised on the Draft SEIR. Revisions to the Draft SEIR in response to comments do not result in any new significant impacts or any increase in the severity of impacts.

The proposed Final SEIR was released on July 29, 2020, and hearings were scheduled before the Planning Commission in September of 2020. However, due to the Phillips 66 announcement to shutdown the SMPS, SMR, and their associated facilities, ExxonMobil requested to drop the project from the September 2020 Planning Commission Hearings in order to evaluate how Phillips 66's proposal may affect the pending application. After ExxonMobil confirmed that no changes were proposed for the project following Phillips 66's announcement, the County determined that the 2020 Proposed Final SEIR should be revised to address the future shutdown of the SMPS.

Shutdown of the SMPS during the lifetime of the proposed project would require that all project crude oil be transported to the Pentland Terminal once the SMPS is no longer available. As both the Draft SEIR and previous proposed Final SEIR evaluated the full impacts of trucking all project oil to either the SMPS or the Pentland Terminal, the shutdown of the SMPS does not change the severity of any of the identified impacts, or result in any new significant impacts. The SEIR was revised to address the shutdown, the new County significance thresholds for transportation impacts (which were updated after the release of the previous proposed Final SEIR), and other minor modifications and editorial updates throughout the document.

The Revised Final SEIR was released in August 2021. Places where the text has been revised are shown by solid vertical lines on the margin of the page in the print version of the document. An electronic version of the Final SEIR showing revision marks as underline and strikeout is available on the County website, and via electronic CD attached to the hard copy document.

The SEIR also includes a Final SEIR Revision Letter No. 1 (Attachment D). The Revision Letter summarizes the Modified Project, provides a project level of environmental analysis for impacts, and documents that the Modified Project would: (1) not result in any additional Significant and Unavoidable (Class I) environmental impacts; (2) would not increase any Class I or Significant and Mitigable (Class II) impacts that were previously identified in the SEIR; and (3) would lessen the severity of the Significant and Unavoidable impact that was identified for the proposed project, as described in the SEIR.

The SEIR identifies one Significant and Unavoidable impact (Impact RISK.3: effects of potential oil spills on biological, water, and cultural resources), five Significant and Mitigable impacts, and 17 Adverse but Not Significant (Class III) impacts that could result from the Modified Project. These impacts are summarized below.

6.2 Significant and Unavoidable Impacts

The SEIR concluded that, even with application of feasible mitigation measures, one impact cannot be entirely avoided or reduced to less than significant levels. Adoption of a Statement of Overriding Considerations would be necessary to approve the staff-recommended Modified Project, which is included in Attachment A – Findings for Approval to this staff report. The anticipated impacts and the associated mitigation measures (with corresponding recommended Condition numbers) developed to minimize them are summarized in Table 3 and the paragraphs below. Additional details regarding potential impacts and mitigation measures are discussed in the individual issue area sections in the SEIR.

Table 3: Class I Impacts (from SEIR Table ES-1)			
Issue Area	Impacts (SEIR Number)	Phase	Mitigation Measures (with Recommended Condition Numbers)
Hazardous Materials/Risk of Upset (SEIR Section 4.3)	RISK.3: Oil spills and fires associated with the trucking of oil could impact sensitive resources including biological, water, and cultural resources at the LFC facility and along the trucking routes.	Accidental Spills	<p>RISK-1 Truck Hazard Mitigation Plan. (Cond. XX-5A) Implementation of a plan to address various aspects of truck operation safety with goal of minimizing the potential for an accident or release of oil.</p> <p>RISK-2 Updated SYU Emergency Plans. (Cond. XX-5B) Updates to the LFC Spill Prevention Control and Countermeasure Plan, the LFC Emergency Response Plan, and the SYU Facility Response Plan.</p> <p>RISK-3 Trucking Company Financial Responsibility. (Cond. XX-5C) Ensures that the trucking company has demonstrated financial responsibility to cover the cost of an oil spill cleanup in the amount of at least \$5,000,000.</p> <p>RISK-4 Trucking Route Oil Spill Contingency Plan. (Cond. XX-5D) Ensures that each trucking company has an oil spill contingency plan that covers the trucking routes, including spill notification procedures, spill protection measures, list of at-risk resources, response resources, training, and exercises.</p> <p>RISK-5 Oil Spill Response Trailer. (Cond. XX-5E) Provides a maximum of \$25,000 for the purchase of an oil spill trailer for the SBC Fire Department.</p> <p>RISK-6 Unmanned Aerial Vehicle. (Cond. XX-5F) Provides a maximum of \$8,000 for the purchase of an unmanned aerial vehicle for the SBC Fire Department.</p>

Potential oil spills associated with the trucking of oil could impact sensitive resources including biological, water, and cultural resources at the LFC facility and along the trucking routes. An oil spill at the truck loading area in the LFC would be contained on the large existing graded pad where the proposed truck loading rack would be installed. The pad is sloped to drain into an existing emergency containment basin. Any oil spill that was not contained on the pad would be contained within the emergency containment basin. An oil spill associated with a tanker truck would be about 160 barrels (6,720 gallons) at maximum. In the event of a spill during truck transport, in the most likely scenarios, the maximum extent of a spill of a full tanker would extend approximately 0.25 acre (11,000 ft²) and would be confined to the road surface and habitat within an area of about 500 feet of the roadway. The annual probability of a minimum spill of about five gallons or more (which is the Federal reporting minimum), without mitigation measures, is estimated to be once in 34 years for all trucks going to the SMPS, and once in 12 years for all trucks going to the Pentland Terminal. The volume, location and seasonal timing of a spill would influence the severity and extent of impacts to sensitive resources.

Under the Modified Project, the likelihood for a spill impacting waterways located along the travel routes would be reduced since it would be less likely that the spilled oil could be transported via rainwater into nearby creeks and drainages due to the rainy day restrictions. In addition, the Modified Project would substantially reduce the likelihood of an oil spill along State Route 166 while the SMPS is in operation, as compared to the proposed project, because this route would only be utilized if the SMPS was unavailable for an extended, yet temporary, period of time. Once the SMPS is no longer available, all project trucks would travel to the Pentland Terminal, and the likelihood of an oil spill would be as described above. Either way, the potential remains for an oil spill and its associated environmental effects from the spill itself, as well as from any associated clean-up and restoration effort. In the event of a spill associated with the Modified Project, the impact to sensitive resources (biology, water, cultural, marine) could be Significant and Unavoidable (Class I), which is the same classification as the proposed project.

Mitigation measures require additional safety features that would serve to reduce the probability of a truck accident, thereby reducing the likelihood of an oil spill. These mitigation measures and safety features would reduce the likelihood of a truck incident by about 33 percent. With mitigation, the annual probability of a spill would decrease to once in 52 years for all trucks going to the SMPS, and once in 17 years for all trucks going to the Pentland Terminal. Further, under the Modified Project, and only while the SMPS is in operation, the annual probability of a spill for trucks going to the Pentland Terminal would decrease to once in 466 years. Assuming the Modified Project is operational in the year 2022, the following spill probabilities would apply.

	Oil spill probability while the SMPS is in operation <i>(estimated 2022 – 2023)</i>	Oil spill probability once the SMPS is NO LONGER AVAILABLE (PERMANENTLY SHUT DOWN) <i>(estimated 2024 – 2029)</i>
Trucks traveling to the SMPS	Once in 52 years	Not Available
Trucks traveling to the Pentland Terminal	Once in 466 years <i>*Trucks would only travel to the Pentland Terminal if the SMPS is temporarily shut-in for 10 days or more. This number assumes 20 days of trucking per year to Pentland Terminal at 34 trucks per day.</i>	Once in 17 years

Additional mitigation measures identified in the SEIR would help to improve the response to an oil spill by having truck route specific oil spill response plans and providing additional oil spill response resources to the Santa Barbara County Fire Department. These oil spill plans would allow quicker notification in the event of an oil spill and for better coordination with the first responders, particularly the Santa Barbara County Fire Department and the California Department of Fish and Wildlife Office of Spill Prevention and Response (CDFW-OSPR).

6.3 Significant and Mitigable Impacts (Class II)

The SEIR identifies five Potentially Significant and Mitigable (Class II) impacts that would result from the Modified Project. These impacts are related to air quality, greenhouse gases, and traffic safety during the operational phase of the project. These potentially significant impacts would be mitigated to less than significant levels with the implementation of specified mitigation measures as summarized in Table 5. Additional details regarding these potential impacts and mitigation measures are provided in the issue area discussions in the SEIR.

Issue Area	Impacts (SEIR Number)	Phase	Mitigation Measures (with Recommended Condition Numbers)
Air Quality (SEIR Section 4.1)	AQ.3: Operational mobile source emissions could result in a considerable net increase of pollutants that would violate air quality standards or	Operations	AQ-1 Trucking Emissions Management Plan. (Cond. XX-3A) Implementation of truck fleet specifications, operational requirements, reporting requirements, and emissions calculations to document truck emissions meet the 25 lbs/day NOx threshold.

Table 5: Class II Impacts (from SEIR Table ES-2)			
Issue Area	Impacts (SEIR Number)	Phase	Mitigation Measures (with Recommended Condition Numbers)
	contribute substantially to an existing or projected air quality violation.		
Climate Change/Greenhouse Gas Emissions (SEIR Section 4.2)	GHG.1: Construction and operational GHG emissions (including mobile sources) would exceed the Santa Barbara County threshold of significance.	Construction and Operations	GHG-1 GHG Emissions Reductions. (Cond. XX-4) Requires the reduction of GHG emission or the surrender offset credits. Implementation of a GHG Reduction and Reporting Plan describing measures to reduce or offset annual incremental GHG emissions. <ul style="list-style-type: none"> • One-to-one reduction or offset • Annual report to County • Exhaust onsite reductions before offsets/credits • Tradable compliance instruments for the state’s Cap and Trade program (e.g., free allowances) would not be used as mitigation.
Traffic and Circulation (SEIR Section 4.5)	TR.2: Operational traffic trips could increase the volume to capacity (V/C) ratio or LOS for relevant roadway segments and intersections.	Operations	TR-1 Truck Trip Restriction. (Cond. XX-7A) Prohibits tanker trucks on US 101 NB Ramp/Route 166 from 5:30 – 6:30 AM and on US 101 SB Ramp/Route 166 from 4:00-5:00 PM.
Traffic and Circulation (SEIR Section 4.5)	TR.3: Project related trucks could create a traffic safety hazard.	Operations	TR-2 Calle Real Time of Day Restrictions. (Cond. XX-7C) Prohibits trucks on Calle Real between Refugio/101 interchange and LFC 7:45 -8:30 AM and 2:55-3:40 PM when school in session and students are being bussed. TR-3 Calle Real Speed Restrictions. (Cond XX-7D) Maximum truck speed on Calle Real is 35 mph or 30 mph if raining.
Cumulative (SEIR Section 3.0)	Cum Traffic: Cumulative traffic could increase the V/C ratio or LOS for relevant roadway segments and intersections	Operations	TR-4 Truck Trip Restriction (Cumulative). (Condition XX-7B) Prohibits trucks on the U.S. 101/State Route 166 intersection between 7:00 – 9:00 AM, and 4:00 – 6:00 PM. This measure is only applicable for when the SMPS is in operation.

6.4 Adverse But Less Than Significant Impacts (Class III)

The SEIR identified 17 Adverse but less than Significant (Class III) impacts. Class III impacts are summarized in Table ES-3 of the SEIR Executive Summary. These impacts are related to air quality and GHGs, hazardous materials and risk of upset, land use and policy consistency, and traffic and circulation issues for both the construction and operational phases of the project.

6.5 Additional Mitigation Measures

CEQA requires that only potentially Significant impacts be mitigated to Less than Significance, or to the maximum extent feasible if they can't be mitigated to a Less than Significant level. CEQA does not require mitigation measures for Less than Significant impacts. However, for the Modified Project, for an alternative mode of oil transportation other than pipeline to be approved by County decision makers, all impact categories must be mitigated to the maximum extent feasible per Section 35-154.5(i) of the County's Coastal Zoning Ordinance and Section 35.52.060.B.10.b(2) of the Land Use Development Code.

Therefore, additional mitigation measures were added into the SEIR under Land Use and Policy Consistency Analysis (SEIR Section 4.4) to assure that the impacts are mitigated to the maximum extent feasible. These additional measures focus on the review of piping and instrumentation diagrams (P&IDs) to monitor fugitive emissions and vapor recovery, improved visibility for trucks traveling on Calle Real, the prohibited use of compression release engine brakes on Calle Real, the implementation of crossing guards along a section of Calle Real at El Capitan State Beach Road to protect pedestrians from conflicts with trucks, and fully offsetting construction and operational air and GHG emissions. These additional mitigation measures are included as part of the recommended Modified Project and are carried forward as conditions of approval (Attachment B).

6.6 Beneficial Impacts (Class IV)

No Beneficial (Class IV) impacts were identified for the project or any alternative, including the Modified Project.

However, a likely benefit of the Modified Project is that while the SMPS is in operation, the Project would displace about 38 trucks currently unloading oil at the SMPS that are traveling from the east (e.g., San Joaquin Valley). For example, between January 2018 and June 2018, the average number of oil trucks unloaded at the SMPS was approximately 138 trucks per day from various sources, with the majority of trucks coming from the east (SEIR Figure 2-10). The estimated capacity of the SMPS is 170 trucks per day, and it is likely that trucks from the Modified Project would displace trucks traveling from the east due to the longer trucking distance and associated economic incentives. Tanker trucks from the east have longer transportation times and higher transportation costs than trucks that would come from the Modified Project; therefore, there is an economic incentive for Phillips 66 to accept trucks from the Modified Project over trucks from the east. This would result in a reduction in baseline air emissions (SEIR Table 4.1-17), and a reduction in baseline GHG emissions by approximately 980 annual GHG tons/year (MTCO_{2e}) (SEIR Section 5.2.4.2). It would also result in a reduction in the baseline crude oil truck traffic along State Route 166.

6.7 Cumulative Impacts

Cumulative impacts are addressed in Section 4.0 of the SEIR, and are summarized in Table ES-4 of the Executive Summary. The cumulative analyses focuses on the potential impacts that could result from the construction and operation of the proposed project in combination with reasonably foreseeable projects in the region, including restart of the SYU facilities, residential and commercial development projects, and other smaller North County oil development projects. A summary of the cumulative impacts identified in the SEIR are provided below.

Air Quality and GHG. Many of the cumulative projects would generate stationary and mobile source emissions along the same routes as the Modified Project. Restart of the SYU facilities would result in resumption of the air and GHG emissions from those facilities; however, cumulative emissions would be below the baseline emissions, and are fully permitted and offset under SYU's existing development plan. Other cumulative projects, such as construction of the Plains Replacement Pipeline Project and the Refugio Bridge Replacement Project, as well as small oil and gas, and other development projects in northern Santa Barbara County would create short-term air quality impacts; however they would require permits from, and compliance with SBCAPCD polices and regulations, and would require emissions offsets through the SBCAPCD if they exceed County thresholds. Implementation of mitigation measures, carried forward as conditions of approval, would assure that the Modified Project's contribution to cumulative air and GHG emissions would be less than significant.

Hazardous Materials and Risk of Upset. The cumulative risk of upset impacts are related to cumulative oil trucking from other oil development projects in the Santa Maria area. Of these, the majority of the truck trips accounted for in the cumulative analysis are associated with the Modified Project. In the event of an accidental oil spill resulting from a truck accident, a potential to impact sensitive resources exists. Even with mitigation, in the event of an accidental spill associated with crude oil trucking operations, the cumulative impacts to sensitive resources could be significant and unavoidable depending upon the location and severity of the spill, weather conditions at the time of the spill, and the area of impact.

Transportation and Circulation. Under cumulative conditions while the SMPS operational, the only roadway or intersection that would have a potentially significant impact is the U.S. Highway 101 Southbound on-ramp/State Route 166 intersection during both AM and PM peak hours. With the implementation of the identified cumulative traffic mitigation measure, which is carried forward as a condition of approval, the Modified Project's contribution to cumulative traffic impacts would be less than significant with mitigation.

Once the SMPS is permanently shutdown, crude oil trucks currently traveling west on Highway 166 to get to the SMPS would no longer occur. However, it is possible that crude oil trucks currently going to the SMPS from the Santa Maria area could start using the U.S. Highway

101/State Route 166 East interchange to get to the Pentland Terminal. Under this cumulative scenario, the net increase in crude oil trucks using this interchange would be about nine trucks per day. A net increase of nine trucks per day would reduce the cumulative impact at the U.S. Highway 101/State Route 166 East interchange to less than significant after the SMPS is permanently shutdown.

6.8 Project Alternatives

The SEIR evaluated a wide range of alternatives that potentially could avoid or substantially lessen significant environmental effects associated with the proposed project. Only alternatives that reduce significant impacts of the proposed project, are technically feasible, and attain most of the basic proposed project objectives were carried forward for further analysis and evaluated and compared in the SEIR. The potential alternatives considered but not carried forward are discussed in SEIR Section 2.7.2 and include:

- Trucking to the Phillips 66 Santa Maria Refinery Only
- Alternative Truck Routes to Plains Pentland Terminal
- Alternative Modes of Transportation (pipeline, rail, marine barge)
- Trucking to the Lompoc Oil and Gas Plant (LOGP) Only
- Renewable Energy Sources
- New Northbound On-Ramp to U.S. Highway 101 at the Mouth of Las Flores Canyon

The four alternatives carried forward for further analysis are listed and summarized below. More detailed descriptions and analyses of these four alternatives are provided in SEIR Sections 2.7.3 and 5.0.

- No Project Alternative
- Reduced Trucking
- No Trucking During Rainy Periods
- Trucking to the SMPS Only

6.8.1 No Project Alternative

CEQA requires that the “No Project” alternative be evaluated and its impacts described by projecting what would reasonably be expected to occur in the foreseeable future if a proposed project is not approved. With this alternative, no new environmental impacts would occur, and the SYU would not restart oil and gas production and processing operations until a pipeline, or another alternative, becomes available to transport the crude oil.

6.8.2 Reduced Trucking Alternative

Under this alternative, trucking of oil from the LFC facility would be limited to a maximum of 50 trucks per day and travel to either the SMPS or the Pentland Terminal. SYU production would be limited to about 8,000 bpd, compared to 11,200 bpd for the proposed project (about a 30% reduction in truck trips). Construction of the truck loading facilities would remain the same as for the proposed project, as well as truck loading operations and truck routes.

Impacts. Overall, impacts would be similar to the originally proposed project, and no impact classifications would change from those identified for proposed project in the SEIR for either the SMPS or the Pentland Terminal. This alternative would reduce the severity of all of Significant and Mitigable (Class II) impacts; however it would increase the severity of the Significant and Unavoidable (Class I) impact. The SEIR (Sections 2.7.3.2 and 5.2.2) identifies operability issues that could occur with an 8,000-bpd production rate. Reduced velocity in the emulsion pipeline from the platforms to LFC could allow the water/oil emulsion to separate, leading to: (1) increased potential for corrosion in the pipeline due to water settling in the bottom of the pipeline; (2) lack of accurate pipeline integrity data from instrumented maintenance tools (i.e. pipeline pigs); and (3) reduction in the leak detection system's ability to detect potential leaks in the emulsion pipeline. These factors could lead to a higher probability of failure of the pipeline from the SYU platforms to the LFC. These factors would increase the likelihood of an oil spill into the ocean, which if it occurred, would have a significant impact to the marine environment. Operation of the LFC facilities at less than about 10,200 barrels per day of oil (30,000 barrels per day of emulsion coming from the offshore platforms to the LFC) would also likely result in an exceedance of the carbon monoxide (CO) emission limit in the SBCAPCD air permit for the SYU's existing cogeneration system gas turbine.

6.8.3 No Trucking During Rainy Periods Alternative

This alternative was developed to reduce the likelihood and potential consequences of an oil spill impacting biological, cultural, and water resources by prohibiting trucking operations during periods of heavy rain. In the event of an oil spill from a tanker truck, the potential impacts to biological and water resources would be greater during periods of rain since oil could be transported more easily into waterways by the rain runoff along drainage areas and stormwater management systems.

For days when the National Weather Service predicts a 50% chance of receiving ½-inch of rain or more in a 24-hr period in the areas along the truck routes, no trucking shall occur unless the rain event does not materialize. Trucks loaded with crude oil would have to stop leaving the LFC facility, four (4) hours prior to the projected start of the rain event for trucks going to the SMPS, and six (6) hours for trucks going to the Pentland Terminal. Trucks would not be able to resume trucking until the rain event ends. If the rain event does not materialize, then trucking would be allowed to resume. When trucking cannot occur, the produced crude oil would be stored in an

existing onsite crude oil storage tank at the LFC facility. To make up for the days when trucking is not allowed, the limit on the peak truck trips per day would be increased to 78 trucks. However, the annual number of trucks would continue to be limited to 24,820 to 25,550 per year, which is an average of 68 to 70 trucks per day to the Pentland Terminal and SMPS respectively.

Impacts. Overall, impacts would be similar to the proposed project, and no impact classifications would change from those identified for the proposed project in the SEIR for the SMPS. For trucks going to the Plains Pentland Terminal, the total operational emissions would increase to Class II (less than significant with mitigation) for this alternative, compared with Class III (less than significant). All other impact classifications would remain the same as the proposed project.

The major environmental advantage to this alternative is that it would reduce the probability and likely severity of the consequences of an oil spill impacting sensitive resources, which is the only Significant and Unavoidable (Class I) impact identified for the proposed project. This alternative would reduce the likelihood of a spill entering creeks and drainages from stormwater flows associated with a rain event. It is also possible that not trucking during periods of heavy rain would reduce the likelihood of a truck accident. Eliminating truck travel on Calle Real and Refugio Roads during heavy rain days could help to improve overall truck safety since typically rainy days have poor visibility. However, the accident data for trucks is not detailed enough to determine the effects wet weather has on truck accident rates. Therefore, no adjustment was made to the accident rate in the SEIR analysis.

6.8.4 Trucking to the SMPS Only Alternative

Under this alternative, during normal conditions when the SMPS is in operation, trucks would only be allowed to travel to the SMPS in order to limit truck travel, reduce air emissions, and reduce the likelihood of accidents resulting in spills due to fewer miles traveled. Crude oil would be trucked only to the SMPS unless the truck loading facilities at the SMPS are temporarily shut down for 10 consecutive days or more. Under normal operations, up to 70 trucks per day would travel from the LFC facility to the SMPS. Truck transportation would occur seven days per week, 24-hours per day.

In the event of an extended temporary shutdown of the SMPS, the Applicant would be allowed to transport crude oil to the Pentland Terminal with a maximum of 34 trucks per day. At this rate of trucking, the SYU facilities could continue producing for about 20 days based on storage tank capacity. If the extended shutdown lasts more than 20 consecutive days, the SYU facilities would likely need to be shut-in. Once the SMPS returns to normal operating conditions, to make up for lost shipping days, this alternative would allow for up to 78 trucks per day between the LFC facility and the SMPS. However, the annual number of trucks leaving the LFC facility would be limited to 25,550, which is the same as the proposed project.

It is likely that this alternative would only be available for a short duration of the Modified Project's lifespan. It is also possible that the SMPS could be shutdown prior to the start of interim trucking operations. However, this alternative is included in the Modified Project as it could be implemented during the early years while the SMPS is still in operation. Although projected for some time in 2023, the exact timing of the shutdown of the SMPS is unknown, and could be delayed depending upon the permitting of the Phillips 66 Rodeo Renewed Project. This alternative would not apply once the SMPS is permanently shutdown, or is no longer accepting oil from the Applicant.

Impacts. Overall, impacts would be similar to the proposed project, and no impact classifications would change from those identified in the SEIR for trucks going to the SMPS. For trucks going to the Pentland Terminal, this alternative would reduce the operational mobile source emission impact to Class III (less than significant) as compared to Class II (less than significant with mitigation) for the proposed project.

The environmental advantage of this alternative is that it would substantially reduce the potential for trucks to go to the Pentland Terminal, which is a longer transportation route, while the SMPS is in operation. By substantially limiting the number of trucks that could use State Route 166, this alternative would also reduce the probability of an oil spill entering a waterway. As depicted in Table 2, for this alternative, the probability of a spill of five gallons or more has been estimated to be once in 52 years (with mitigation) for all trucks going to the SMPS, and once in 466 years for trucks going to the Pentland Terminal.

6.8.5 Environmentally Superior Alternative

The No Project Alternative was found to be the environmentally superior alternative, as none of the impacts associated with the project or other alternative would occur. CEQA requires that if the No Project Alternative is found to be the environmentally superior alternative, then the next most environmentally preferred alternative from among the other alternatives must be identified. The SEIR identified the No Trucking During Rainy Periods Alternative as the next most environmentally preferred alternative because it would reduce the likelihood, and likely the consequences of, an accidental spill impacting sensitive resources, thereby reducing the potential extent and severity of the only project-related Significant and Unavoidable (Class I) impact. The SEIR also identified the SMPS-Only Alternative as an additional measure in the Land Use section to be implemented as long as the SMPS is in operation, in order to ensure the environmental impacts of trucking are mitigated to the maximum extent feasible as required by County codes.

With both alternatives, the potential remains for an oil spill from the trucking operations and the associated environmental effects of a spill and its clean-up activities. Even with the implementation of mitigation measures, in the event of a spill associated with these alternatives, the impact to sensitive resources could be Significant and Unavoidable (Class I), which is the same

classification as the proposed project. The proposed project as modified by the No Trucking During Rainy Periods Alternative combined with the SMPS-Only Alternative (while available), is the staff recommended project (Modified Project) and is the subject of the Final SEIR Revision Letter No. 1 (Attachment D).

6.9 Comprehensive Plan Consistency

The policy consistency analysis provided in Table 6 is for the Modified Project recommended for approval. Policies from both the Comprehensive Plan and the Coastal Land Use Plan are included in this analysis because the proposed new truck loading rack would be constructed and operated within the inland (non-Coastal Zone) area of the County, the crude oil trucks would be transiting through and near the Coastal Zone, and Development Plan No. 87-DP-32cz, Condition VI-1 requires that “[t]ransportation 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.” In addition, an oil spill resulting from a trucking accident could adversely affect coastal resources.

References in this consistency analysis to “the Project” refer to the Modified Project. If approved, the Modified Project would be subject to all applicable conditions of the SYU FDP No. 87-DP-32cz (included as part of Attachment B to this staff report), in addition to the conditions added or revised as cited in Table 6.

The following abbreviations for components of the County’s Comprehensive Plan are used in the table:

CLUP	Coastal Land Use Plan	HWE	Hazardous Waste Element
LUE	Land Use Element	CE	Circulation Element
GCP	Gaviota Coast Plan	CMP	Congestion Management Plan

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
Pipeline Transportation of Crude Oil	
<p>CLUP Policy 6-8. If an onshore pipeline for transporting crude oil to refineries is determined to be technically and economically feasible, proposals for expansion, modification, or construction of new oil and gas processing facilities shall be conditioned to require transportation of oil through the pipeline when constructed, unless such condition would not be feasible for a particular shipper.</p> <p>a. Pipeline transportation of crude oil to a refining center served by a pipeline is presumed to be technically and economically feasible and the required method of transportation to that center.</p> <p>b. Pipeline transportation of crude oil is presumed feasible for a particular shipper if a pipeline is in operation to the refining center of the shipper’s choice.</p> <p>c. Crude oil processing facilities shall be conditioned to require that each shipper’s oil leaving those facilities be transported by pipeline when a pipeline is in operation to the refining center of the shipper’s choice.</p> <p>d. Until pipelines become available, and for refining centers not served by pipeline, other modes of oil transportation are allowed consistent with County policies. Rail is not preferred for large volume shipments of oil.</p> <p>e. For refining centers served by pipeline, other modes of transportation up to the limits of permitted capacity for those modes, and with assurances that the shipper or transportation facility operator can and will mitigate the environmental impacts caused by the alternate transportation mode, are allowed only under the following circumstances:</p> <p>1) Pipeline unavailability or inadequate capacity; or</p>	<p>Consistent. The ExxonMobil SYU/LFC development is currently required to transport crude oil from LFC via pipeline to refining centers and did so until May 19, 2015 when the Plains Pipeline Lines 901 and 903 pipeline system was shut down due to a leak and spill; it has not operated since that time. An application has been submitted by Plains All American Pipeline, LLC for the replacement of the Line 901/903 system; this application is currently undergoing environmental review. The SEIR estimates that if the Plains Replacement Pipeline Project is approved, it would not be operational for four to seven years (SEIR Section 4.4.6). The Modified Project allows for trucking of crude oil from LFC until the Plains Replacement Pipeline Project becomes operational, or until the existing Line 901/903 system is repaired and placed back in service, or for a maximum of seven years, whichever occurs first. Under normal operating conditions, the Modified Project would allow crude oil to be taken by truck to the SMPS as long as it’s available, and from there, transported out of the County via pipeline to the Santa Maria Refinery in San Luis Obispo County. After the SMPS is permanently shutdown, the Modified Project would allow all project crude oil to be taken by truck to the Pentland Terminal.</p> <p>As discussed in Section 6.3 of the staff report under LUDC Section 35.52.060.B.10.b and CZO Section 35-154.4B(a-e), and incorporated herein by reference, crude oil transportation from LFC by pipeline is not feasible at this time because no pipeline is currently available or foreseeable in the near term. Pursuant to CLUP Policy 6-8 (e), an alternative mode of oil transportation may be allowed if a pipeline is not available.</p> <p>Once Project-related trucking permanently ceases, transport of SYU crude oil by any means other than pipeline must again be approved by the County,</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
<p>2) A refinery upset lasting no longer than two (2) months and only where the alternate refining center is not served by pipeline; or</p> <p>3) An emergency which may include a national state of emergency.</p> <p>Coastal Act Section 30262 Oil and gas development. ... (7)(B) Once oil produced offshore California is onshore, it shall be transported to processing and refining facilities by pipeline.</p>	<p>including environmental review and determination of pipeline infeasibility.</p> <p>The Project would be implemented pursuant to conditions of approval described in Attachment B to the Planning Commission staff report which are incorporated herein by reference, ensuring that the environmental impacts of the interim trucking operations would be mitigated to the maximum extent feasible.</p> <p>In light of the unavailability of a pipeline, interim trucking of crude oil to the SMPS and Pentland Terminal may be allowed and, as conditioned, the Project is consistent with these County and Coastal Act policies.</p>
Adequate Services/Resources and Site Location	
<p>LUE Land Use Development Policy 4: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</p> <p>CLUP Policy 2-6. Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements</p>	<p>Consistent. The Project would be an addition to the existing operations at the LFC facilities. The proposed Project would be serviced by existing public and private roads and resources, and no expansion of public or private services and resources would be required. As addressed in SEIR Section 4.5 (Transportation and Circulation), temporary vehicle trips during construction would not decrease existing roadway or intersection levels of service or exceed acceptable levels for roadway and intersection volume-to-capacity ratios. For the policies that are not specifically development related, operation of the proposed Project would exceed the County traffic thresholds for the AM and PM peak hours at the U.S. Highway 101/State Route 166 East intersection. Implementation of mitigation measures TR-1 and TR-4 would prevent trucks from using this intersection during the peak AM and PM hours. All other roadways and intersections would not decrease existing levels of service or exceed acceptable levels for roadway and intersection volume-to-capacity ratios.</p>

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REQUIREMENT	DISCUSSION
<p>that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan. ... <i>(The remainder of this policy addresses housing projects and is not applicable to this case.)</i></p> <p>Coastal Act Section 30250 Location in existing developed area. New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.</p> <p>Coastal Act Section 30260 Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.</p> <p>Coastal Act Section 30262 Oil and gas development. (a) Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met: ... (2) New or expanded facilities related to that development are consolidated, to the maximum extent feasible and legally permissible. (...)</p>	<p>The Project would require limited fresh water for construction of the truck loading rack, which would be provided by existing onsite private water wells. No water would be needed for operation of the truck loading rack. Existing LFC facilities sewer and other services are adequate for the temporary increase in personnel for construction activities. No new additional employees are required for operation of the truck loading facilities; therefore the existing LFC sewer and other services also are adequate for Project operations.</p> <p>LFC is the only designated consolidated oil and gas processing site in the County’s South Coast Consolidation Planning Area and the new truck loading rack is proposed on the same site within the LFC facilities. The new truck loading rack would be constructed with minimal grading (up to about 500 cubic yards) on an existing engineered pad at the LFC Transportation Terminal, an existing developed area within the consolidated site. No improvements to roadways within LFC, along U.S. Highway 101, or State Route 166 are required for the Project, the existing roadways are adequate for the proposed development. The oil receiver sites at the SMPS and Pentland Terminal are adequately sized to accommodate the Project.</p> <p>The Project is not considered to be a coastal-dependent use, however, it does require use of LFC roadways and U.S. Highway 101, portions of which are located within the Coastal Zone. No feasible alternative oil truck routes from LFC are available. As discussed in the SEIR and Revised Final Revision Letter No. 1, as well as Section 6 of the Planning Commission staff report, incorporated herein by reference, adverse environmental effects to coastal resources likely would only occur in the event of a Project-related oil spill along this portion of the haul route.</p> <p>Oil spill response measures currently required for the ExxonMobil SYU/LFC operation are identified</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
<p>(5) The development will not cause or contribute to subsidence hazards, unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence. (...)</p> <p>Coastal Act Section 30253.3 New development, APCD and CARB rules. New development shall be consistent with requirements imposed by an air-pollution control district or the State Air Resources Control Board, as to each particular development.</p>	<p>in the LFC Spill Prevention, Control and Countermeasure Plan (SPCC, Condition XI-2.e), the LFC Emergency Response Plan (ERP, Condition XI-2.c) Pacific Region Oil Spill Response Plan (OSRP), the SYU Facility Response Plan (FRP, Condition XI-2.e), and the SYU Spill Cleanup Impact Reduction and Restoration Supplement (IRRS, Condition XI-2.e), as discussed in SEIR Section 4.3.1.3 and incorporated herein by reference.</p> <p>Adherence to Federal, state and local standards and requirements for oil and hazardous material transport applicable to the Project and summarized in SEIR Section 4.3.2 would also serve to reduce the likelihood of accidents resulting in oil spills. The Crude Oil Transportation Risk Management and Prevention Program (CO-TRMPP) is described in SEIR Section 4.3.4 and is included in new Condition XX-5A. Implementation of oil transportation safety, risk reduction, and spill mitigation measures adopted as conditions of approval of the Project would ensure mitigation of environmental effects of an oil spill to the maximum extent feasible.</p> <p>As discussed below under Grading and Drainage, the proposed truck loading racks are designed and would be constructed in accordance with applicable federal, state, and local standards for structural integrity. These are adequate measures to ensure that the Project would not cause or contribute to subsidence hazards.</p> <p>The Project is also consistent with Circulation Element Policy E (discussion below) which constitutes consistency with the roadway and intersection component of LUDP 4.</p> <p>The Project would be subject to the requirements of the existing SBCAPCD permits, including any revisions, and any new permits required.</p>

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	Based on the foregoing, the Project is consistent with these Land Use Element, Coastal Land Use Plan, and Coastal Act policies.
Grading and Drainage	
<p>LUE Hillside and Watershed Protection Policy 1: Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p>CLUP Policy 3-13. The plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied, if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p>LUE Hillside and Watershed Protection Policy 2: All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p> <p>LUE Hillside and Watershed Protection Policy 3: For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</p> <p>LUE Hillside and Watershed Protection Policy 4: Sediment basins (including debris basins,</p>	<p>Consistent. Construction of the new truck loading rack in LFC would require minimal grading of approximately 500 cubic yards and within an existing engineered pad on four feet of compacted fill. The loading rack is designed and would be constructed in accordance with applicable federal, state, and local standards for structural integrity and would not contribute to erosion or geologic instability. Due to its location within an engineered pad devoid of vegetation, the Project would not alter natural terrain and no trees would be affected. As discussed in Section 6.3 of the Planning Commission staff report, and incorporated herein by reference, the loading rack is sized and configured to fit existing conditions at the site.</p> <p>The area of development within the LFC has been previously developed and all new graded areas would be connected to the existing storm water runoff system. The LFC facilities were constructed under an approved Grading Plan and an Erosion Control Plan as required by FDP 87-DP-32cz. The FDP requires a facility Erosion Control Plan, including implementation of existing construction and/or industrial SWPPP and Best Management Practices to minimize offsite soil transport. Grading over 50 cubic yards would require a Grading Permit from the County’s Building and Safety Department.</p> <p>The minor grading (up to 500 cubic yards) to prepare the existing pad would not require soil stabilization activities. The Project would not involve any cut and fill on slopes, nor the removal of vegetation.</p> <p>The LFC is located within a high fire hazard area. The Project would be subject to all applicable requirements of existing permits for the SYU/LFC</p>

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<p>desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to remove sediment from runoff waters.</p> <p>LUE Hillside and Watershed Protection Policy 6: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p>CLUP Policy 3-14. All the development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions, and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site, which are not suited for development because of known soils, geologic, flood, erosion, or other hazards, shall remain in open space.</p> <p>Coastal Act Section 30253 New development, risk and stability. New development shall (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard; and (2) Assure stability and structural integrity, and neither create, nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area, or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</p>	<p>development, including measures for fire protection and adequate onsite fire-fighting water supply (Condition XI-2.i). In addition, erosion control measures are required that would minimize soil exposure (Condition IV-B.1 Grading and Erosion Control Plan), construction during the rainy season (Condition IV-B.3) and offsite soil transport (Condition IV-B.4, Storm Drainage Plan).</p> <p>Based on the foregoing, the Project is consistent with these Land Use Element, Coastal Land Use Plan, and Coastal Act policies.</p>
Environmentally Sensitive Habitats and Natural Resources Protection	
<p>CLUP Policy 2-11. All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally</p>	<p>Consistent. The Project is located at the existing LFC facilities on land zoned Coastal-Related Industry (M-CR). The new loading rack would</p>

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REQUIREMENT	DISCUSSION
<p>sensitive habitat area, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.</p> <p>GCP Policy NS-2: Natural Resources Protection. (INLAND) Environmentally Sensitive Habitat (ESH) areas and important or sensitive biological and natural resources shall be protected to the maximum extent feasible. Where special-status plant and animal species are found pursuant to the review of a discretionary project, the habitat in which the sensitive species is located shall be preserved to the maximum extent feasible. Development in areas adjacent to ESH areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.</p> <p>(COASTAL) Environmentally Sensitive Habitat (ESH) areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. A resource dependent use is a use that is dependent on the ESH resource to function (e.g., nature study, habitat restoration, public trails, and low-impact campgrounds). Resource-dependent uses shall be sited and designed to avoid significant disruption of habitat values to ESH through measures including but not limited to: utilizing established disturbed areas where feasible, limiting grading by following natural contours, and minimizing removal of native vegetation to the maximum extent feasible. Non-resource dependent development, including fuel modification and agricultural uses, shall be sited and designed to avoid ESH and ESH buffer areas. If avoidance is infeasible and would preclude</p>	<p>occupy 0.12 acre of the 2.91-acre LFC Transportation Terminal site which is currently graded and has been used in the past for equipment and supply storage. An estimated 500 cubic yards of grading would be required to incorporate the truck loading area into the existing containment and drainage features at the LFC Transportation Terminal.</p> <p>A mapped Environmentally Sensitive Habitat (ESH) generally follows Corral Creek, a natural stream corridor immediately west of the LFC Transportation Terminal (SEIR Figure 2-2). The Project site is more than 300 feet from the Corral Creek ESH and design would avoid ESH and ESH buffer areas. The truck loading area is sited and designed such that its construction and operation would not impact or degrade the ESH. SEIR Section 4.3.4 notes that the impacts resulting from an accidental release of crude oil during truck loading operations would not extend beyond the Transportation Terminal site. In the event of a spill from truck loading operations, oil would be contained by the new/modified containment berms or the existing secondary containment basin. The entire Truck Loading Area pad drains into the existing secondary containment basin and away from the ESH associated with Corral Creek.</p> <p>The LFC is located outside of the coastal zone on land zoned Coastal Related Industry (M-CR) and is not dependent on an ESH resource to function. The Project does not involve development adjacent to or in close proximity to any identified wildlife corridors, disturbance or alteration of a natural stream channel, or removal of riparian vegetation.</p> <p>For those policies that don't specifically address development, which is limited to the LFC site (such as GCP Policy NS-7 and NS-9), the SEIR states that oil spills associated with truck transportation along the trucking routes could impact natural resources. Mitigation measure MM RISK-1 would require a</p>

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<p>reasonable use of a parcel or is a public works project necessary to repair and maintain an existing public road or existing public utility, then the alternative that would result in the fewest or least significant impacts shall be selected and impacts shall be mitigated. Development in areas adjacent to ESH areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.</p> <p>GCP Policy NS-6: Wildlife Corridors. Development shall avoid to the maximum extent feasible and otherwise minimize disruption of identified wildlife travel corridors.</p> <p>GCP Policy NS-7: Riparian Vegetation. (INLAND) Riparian vegetation shall be protected to the maximum extent feasible. Riparian vegetation shall not be removed except where clearing is necessary for the maintenance of existing roads and/or free flowing channel conditions, the removal of invasive exotic species, stream/creek restoration, or the provision of essential public services. Any unavoidable riparian vegetation removal conducted in compliance with the activities identified by this policy shall be conducted in compliance with the Environmentally Sensitive Habitat and resource protection policies and provisions of the Gaviota Coast Plan, the Comprehensive Plan, and the Local Coastal Program.</p> <p>(COASTAL) New development, including fuel modification, shall be sited and designed to protect riparian ESH, consistent with Policy NS-2 and all other applicable policies and provisions of this Plan and the LCP.</p> <p>GCP Policy NS-9: Natural Stream Channels. (INLAND) With the exception of local, state, or federal resource agency permitted activities, natural stream channels and conditions shall be</p>	<p>Truck Hazard Mitigation Plan be prepared and implemented that addresses the various aspects of truck operation safety to reduce the likelihood of a truck accident by about 33% (Condition XX-5A). Mitigation Measures MM RISK-2 through RISK-6 would help to improve the response to, and lessen the severity of, an oil spill (Conditions XX-5B through XX-5F). Condition XX-5B requires updates to the existing SYU/LFC emergency response plans. Conditions XX-5C and XX-5D require financial responsibility and an oil spill contingency plan for the trucking companies that would transport crude oil from LFC. Conditions XX-5E and XX-5F require that the Applicant fund the cost of an oil spill response trailer and an unmanned aerial vehicle for the Santa Barbara County Fire Department. These measures would serve to mitigate the oil spill impact to the maximum extent feasible.</p> <p>Based on the foregoing, the Project is consistent with these Coastal Land Use Plan, Gaviota Coast Plan, and Coastal Act policies.</p>

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REQUIREMENT	DISCUSSION
<p>maintained in an undisturbed state to the maximum extent feasible in order to protect banks from erosion, enhance wildlife passageways, and provide natural greenbelts.</p> <p>(COASTAL) Channelization or other substantial alterations of streams shall be prohibited except for: 1) necessary water supply projects where no feasible alternative exists; 2) flood control projects for existing development where necessary for public safety and there is no other feasible alternative, or 3) development with the primary purpose of improving fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including ESH and the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over “hard” solutions such as concrete or riprap channels.</p> <p>Coastal Act Section 30240: Environmentally sensitive habitat areas (ESHAs).</p> <p>(a) The ESHAs shall be protected against any significant disruption of habitat values, and only uses, dependent on those resources, shall be allowed within those areas; (b) Development in areas adjacent to environmentally sensitive habitat areas, and parks and recreation areas, shall be sited and designed to prevent impacts, which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.</p>	
Water Quality and Biological Productivity	
<p>LUE Hillside and Watershed Protection Policy 7: Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or</p>	<p>Consistent. The Project does not include grading or development within or near a stream corridor or wetland area, or development that would affect the biological productivity of coastal waters. Condition IV-B.1 requires implementation of erosion and sediment control measures to protect biological</p>

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<p>alongside coastal streams or wetlands either during or after construction.</p> <p>CLUP Policy 3-19. Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p> <p>CLUP Policy 9-14. New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.</p> <p>Coastal Act Section 30231: Biological productivity; water quality. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>resources, including streams and creeks, during construction and operations. Storm runoff at LFC would not increase as a result of Project implementation as the truck loading rack would be constructed and operated within already developed areas with containment and drainage control features.</p> <p>However, the addition of crude oil truck loading facilities within LFC includes additional sources of a potential oil spill in the event of equipment malfunction or operator error at the loading rack. An accidental spill of crude oil at the loading rack would be contained at the rack site or within the existing emergency containment basin.</p> <p>In the event of a truck accident on the haul route within LFC, it is possible spilled oil could reach the Corral Creek ESH. If an accidental release of crude oil occurs along the LFC roadway, cleanup would be conducted in accordance with the SYU/LFC facility Spill Prevention, Control, and Countermeasure Plan (SPCC, Condition XI-2.e) and Emergency Response Plan (Condition XI-2.c) which includes measures to minimize soil and vegetation disturbance during spill clean-up.</p> <p>Oil spills from the transportation of crude oil along the trucking routes could have direct and indirect effects on onshore biological resources such as special-status species, habitat, and vegetation communities, as well as impacts on streams and other jurisdictional resources (e.g., drainages). In addition, for the portion of the transportation route along the Gaviota coast, an oil spill that entered a drainage could potentially reach the ocean, resulting in direct effects to marine resources. Mitigation measures would reduce the likelihood of a truck accident by about 33% (MM RISK-1, Condition XX-5A), and would help to improve the response to, and lessen the severity of, an oil spill (MM RISK-2 through RISK-6, Conditions XX-5B through XX-5F). These measures include</p>

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	<p>development and implementation of a Truck Hazard Mitigation Plan, updates to SYU emergency plans, trucking company financial responsibility, a trucking route Oil Spill Contingency Plan, and funding for an oil spill response trailer and unmanned aerial vehicle to the Santa Barbara County Fire Department. These measures would serve to mitigate the oil spill impacts to the maximum extent feasible.</p> <p>Based on the foregoing, the Project is consistent with these Land Use Element, Coastal Land Use Plan, and Coastal Act policies.</p>
Cultural and Archaeological Resources	
<p>Conservation Element: Archaeological Sites Conclusions and Recommendations. For specific project areas, the following steps should be taken:</p> <ul style="list-style-type: none"> - A systematic ground survey of the project area and alternative areas should be carried out by the archaeologist selected. Preliminary testing of sites within the designated construction area may be included. - A report should be submitted by the archaeologist to the planners and developers concerned with the project and to responsible government agencies. This report should include details on surface and sub-surface finds, evaluation of the area and the sites it may contain, and suggestions for further actions concerning archaeological resources. <p>LUE Historical and Archaeological Sites Policy 2: When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</p> <p>CLUP Policy 10-2. When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</p>	<p>Consistent. No development is proposed for areas of disturbance where archaeological or other cultural sites are located (e.g. existing disturbed areas within the LFC). The loading rack site is located within an engineered pad on about four feet of fill that was constructed for the original SYU/LFC oil and gas processing facility. A new ground survey is not warranted for this site as no archaeological resources would be disturbed by the loading rack construction and operation.</p> <p>SEIR Section 4.3.1.7 describes cultural resources along the trucking routes. A total of 39 known resources intersect or are adjacent to the trucking routes (i.e., within the roadway or adjacent shoulders). These known resources are listed in Table 4.3-10 of the SEIR. Of the 39 known resources, 21 are prehistoric, 12 are historic, and six contain both prehistoric and historic components. Ten of the 39 known resources are located along the Pentland Terminal truck route from the intersection of U.S. Highway 101/State Route 166 to the terminal. SEIR Appendix C provides a list of the known resources within 500 feet of the truck routes. The SEIR also notes that a sensitive zone for underwater cultural/historical resources extends from Point Conception to Ventura County in a band</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
	<p>along the coast from the surf line out to a depth of 90 feet. Historic offshore cultural resources in the Project region are primarily shipwrecks. Regular use of the trucking routes would not result in direct impacts to cultural resources. If a truck accident results in an oil spill, disturbance of cultural resources could occur as a result of associated cleanup and/or restoration activities. As the exact location and extent of this type of event cannot be reasonably predicted, a systematic ground survey of the project area and alternative areas is not warranted. Implementation of mitigation measure RISK-4, Condition XX-5D requires the identification of Native American monitors that are properly trained for working at oil spill response locations, so monitors are available to direct emergency crews, clean up, and remediation efforts to avoid further impacts to cultural resources.</p> <p>With provision of the analysis summarized above from Section 4.3 of the SEIR, the Project is consistent with these Conservation Element recommendations, Land Use Element, and Coastal Land Use Plan Policies.</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
<p>GCP Policy CS-1: Cultural Resources Preservation & Protection. Preserve and protect significant cultural, archaeological and historical resources to the maximum extent feasible.</p> <p>GCP Policy CS-2: Properties of Concern. Significant cultural resources including historic structures, Rural Historic Landscapes, archaeological sites, Traditional Cultural Properties, and Tribal Cultural Resources shall be protected and preserved to the maximum extent feasible.</p> <p>Coastal Act Section 30244: Archaeological or paleontological resources. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p>Consistent. The Project is located at the existing LFC facilities on land zoned Coastal Related Industry (M-CR), which is outside of the coastal zone. No new development is proposed for areas within the Coastal Zone, therefore Coastal Act Section 30244 would not be applicable to the Project.</p> <p>The truck loading rack would be built on an existing pad with minimal grading (up to 500 cubic yards) and ground disturbance. The LFC Transportation Terminal site for the truck loading rack is composed of fill material that was constructed as part of the original LFC facilities. The existing pad does not contain archaeological or other cultural sites. No native soils would be disturbed during Project construction.</p> <p>Impacts to cultural resources could only occur due to a truck accident and resultant oil spill that leaves the roadway and travels to the resource. Safety features and mitigation measures incorporated into the Project during operations would reduce, but not eliminate the potential for significant adverse impacts to cultural resources in the event of an oil spill. These measures include the safety features required for the Project trucks (Condition XX-5A (MM RISK-1, Truck Hazard Mitigation Plan) and the restrictions on truck transport of oil on rainy days (Project Description in Section 5.3 of this staff report). The project design, together with the mitigation measures adopted as conditions of approval, would constitute maximum feasible mitigation for impacts to cultural, archaeological, and historical resources.</p> <p>Based on the foregoing, the Project is consistent with these Gaviota Coast Plan and Coastal Act policies.</p>
<p>LUE Historical and Archaeological Sites Policy 4: Off-road vehicle use, unauthorized collection of artifacts, and other activities other than</p>	<p>Consistent. Off-road vehicle use and unauthorized collection of artifacts is prohibited within the LFC oil and gas processing site, including the Project</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
<p>development which could destroy or damage archaeological or cultural sites shall be prohibited.</p> <p>LUE Historical and Archaeological Sites Policy 5: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</p>	<p>site. Development of the new loading rack would not result in significant impacts to archaeological or cultural sites.</p> <p>Formal notification was sent to all AB 52-CEQA tribes that submitted written requests to be on the County list of tribes for consultation pursuant to Public Resources Code (PRC § 21080.3.1). At the time of issuance of the AB52 notification, only the Barbareño/Ventureño Band of Mission Indians had submitted a written request to be on the County AB52 consultation list. The 30 day clock for requesting consultation allowed under AB 52 (PRC § 21080.3.1) expired on May 11, 2018. No request was received for consultation. As such the County met all the legal requirements of AB 52. Therefore, the Project is consistent with these Land Use Element policies.</p>
Flood Hazards	
<p>LUE Flood Hazard Areas Policy 2: Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e., dams, stream channelizations, etc.</p> <p>LUE Flood Hazard Areas Policy 3: All development shall be reviewed in accordance with the requirements of County Code Chapter 15A–Floodplain Management and 15B–Development Along Watercourses.</p>	<p>Consistent. The Project site has been previously developed. The LFC facilities originally approved under the County’s FDP (Case No. 87-DP-32cz), were reviewed and approved by various departments including SB County Public Works’ Flood Control District. The Project site is not located within a designated floodway or flood hazard overlay area and would not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works.</p> <p>Therefore, the Project is consistent with these Land Use Element policies.</p>
Oil Transport and Hazardous Waste	
<p>Coastal Act Section 30232: Oil and hazardous substance spills. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances, shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and</p>	<p>Consistent. The Project would be an addition to the existing operations at the LFC facilities, which are not considered a hazardous waste facility per the Hazardous Waste Element. Therefore, HWE Policies 8-1 and 13-1 would not be applicable to the Project.</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
<p>procedures shall be provided for accidental spills that do occur.</p> <p><i>Note: Crude oil is not a hazardous waste but is a Class 3 hazardous material. The Hazardous Waste Element states that “... for some issue areas such as transportation, there is no clear delineation between wastes and materials.” (HWE, Chapter 7, p. 116.)</i></p> <p>HWE Policy 7-1: The County and cities should promote the strong enforcement of existing laws regarding vehicle safety, inspections, and the hazardous waste manifest system for full protection of public health and the environment.</p> <p>HWE Policy 8-1: Any land use permit for a hazardous waste generator or a hazardous waste facility shall require submittal of an emergency response plan prior to operations, if such a plan is required under Chapter 6.95 (section 25500 et seq.) of the California Health and Safety Code.</p> <p>HWE Goal 13-1: To protect the public health and safety and the environment by ensuring that all hazardous waste generators and facilities are operating safely and are in compliance with all appropriate local, state, and federal laws.</p>	<p>The Project would not involve transportation of hazardous wastes but includes the addition of up to 78 round-trip oil tanker trucks per day transporting crude oil from LFC to the SMPS and/or Pentland Terminal, which is considered a hazardous material. An accidental spill of crude oil at the truck loading rack would be contained at the rack site or within the emergency containment basin.</p> <p>In the event of a truck accident on the haul route within LFC, it is possible spilled oil could reach the Corral Creek ESH. If an accidental release of crude oil occurs along the LFC roadway, cleanup would be conducted in accordance with the SYU/LFC facility Spill Prevention, Control, and Countermeasure Plan (SPCC, Condition XI-2.e) and Emergency Response Plan (Condition XI-2.c) which includes measures to minimize soil and vegetation disturbance during spill clean-up.</p> <p>Oil spills from the transportation of crude oil along the trucking route could have direct and indirect effects on onshore biological resources such as special-status species, habitat, and vegetation communities, as well as impacts on streams and other jurisdictional resources (e.g., drainages). In addition, for the portion of the transportation route along the Gaviota coast, an oil spill that enters a drainage could potentially reach the ocean, resulting in direct effects to marine resources.</p> <p>Implementation of risk reduction measures and practices, such as Condition XX-5A would reduce the likelihood of a truck accident by about 33%, and would help to improve the response to, and lessen the severity of, an oil spill (Conditions XX-5B through XX-5F).</p> <p>All tanker trucks would be operated in accordance with the rules and regulations of the California Vehicle Code. Compliance with Title 13 of the California Code of Regulations (Hazardous Materials Transportation) is also required. Condition XX-5A (MM RISK-1, Truck Hazard</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
	<p>Mitigation Plan) requires additional oversight for vehicles that transport crude oil on public roadways, including audits of trucking carriers, identification of transportation routes, inspection of vehicle maintenance records, inspection of driver training programs, and enhanced documentation of loading procedures.</p> <p>Therefore, the Project is consistent with these Hazardous Waste Element and Coastal Act policies.</p>
County Safety Element Supplement	
<p>Policy Hazardous Facility Safety 1-A: Risk Estimates. The County shall employ accurate estimates of risk associated with hazardous facilities to inform discretionary land-use decisions where substantial, preliminary evidence indicates involuntary public exposure to significant risk may result from the land-use decision.</p>	<p>Consistent. Quantitative Risk Assessment (QRA) studies were prepared for the operation of the tanker trucks and for the loading rack activities. The QRA was prepared in accordance with the County’s environmental thresholds which require a QRA to determine the societal risk attributable to the full set of possible accidents that can occur from the operation of a hazardous facility or undertaking of an activity that involves handling of hazardous materials.</p> <p>The LFC is located in a rural area of the County characterized by large parcels and few sensitive receptors separated by great distances.</p> <p>The QRA for truck loading operations included the potential for leaks and spills from truck loading and the potential for truck accidents during transport of the crude oil to the two offloading destinations. As detailed in Section 4.3 of the SEIR, the QRA analysis determined that the risk to the public from loading rack activities at the LFC facility would be less than significant since none of the identified hazard zones would extend beyond the LFC facility boundary.</p> <p>Modeling completed as part of the Transportation QRA determined the trucking risk is in the green region of the County’s risk profiles which indicates the risk is below the significance thresholds and therefore was found to be less than significant.</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
	<p>The Project would not significantly change operations at the either the SMPS or the Pentland Terminal receiving facilities and would not result a significant increase in risk.</p> <p>Therefore, the Project is consistent with this policy.</p>
<p>Policy Hazardous Facility Safety 2-A: Unacceptable Risk Involving New Development. Proposed new development that meets either of the following two criteria shall represent an unacceptably high level of risk and constitute a prima facie standard for denial of the proposed development.</p> <p>(1) All proposed development that registers mitigated risk in the red zone of the County's risk thresholds unless the proposed development is determined to be urban dependent as defined in this supplement, it avoids exposure of highly sensitive land uses to significant risk, and no other feasible location is available.</p> <p>(2) All new development that registers mitigated risk in the amber zone of the County's risk thresholds if exposure of a highly sensitive land use would occur as result of project approval.</p>	<p>Consistent. Based on the Transportation QRA, risk associated with the proposed Project would not fall within the amber or red zones of the County's risk thresholds. See Policy Hazardous Facility Safety 1-A, above. All risk scenarios analyzed for both crude oil tanker truck operations and loading rack operations were determined to be less than significant under the risk thresholds and none of the hazard zones for the truck loading operations in LFC would impact offsite areas.</p> <p>Therefore, the Project is consistent with this policy.</p>
<p>Policy Hazardous Facility Safety Policy 3-A: New hazardous facilities shall be sited to prevent unacceptable risk to offsite population as defined in this chapter. New hazardous facilities should also be sited to avoid significant offsite risk to populated areas, as defined in this chapter. Siting considerations undertaken to optimize public safety shall also examine routes used for transporting acutely hazardous materials to or from a new hazardous facility.</p>	<p>Consistent. The Project would be an addition to the existing operations at the LFC facilities. The facility was sited in the LFC since the area reduced safety and risk impacts to population centers. In addition, the QRA analysis for the loading rack operations determined that potential accidents were less than significant with no offsite impacts.</p> <p>Therefore, the Project is consistent with this policy.</p>
<p>Policy Hazardous Facility Safety 3-C: Mitigation. New hazardous facilities shall employ primary and secondary preventative measures to eliminate or reduce significant risk to offsite population.</p>	<p>Consistent. The Project is an addition to the existing operations at the LFC facilities that would expand to include truck loading capacity for shipping crude oil to a pipeline destination for further transport to refineries. The original oil and gas processing facility was located in LFC in part to</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
	<p>reduce risks and potential offsite impacts to public safety associated with its operation. The QRA for truck loading rack operations determined that the risks of potential accidents are less than significant and will not impact offsite populations. In addition, implementation of risk reduction measures and practices for trucks moving on the LFC access road, such as Condition XX-5A (MM RISK-1, Truck Hazard Mitigation Plan) and restrictions on rainy day trucking would ensure the risk of impacts to offsite populations is reduced to the maximum extent feasible. Therefore, the Project is consistent with this policy.</p>
<p>Seismic Safety and Safety Element, Land Use Planning Objective 1: Avoid the construction of buildings of all types and most structures on or across historically active or active faults. This is not always possible with long linear structures or facilities such as utility lines, roads, and irrigation canals. However, certain safety features such as shut-off valves, can be required to minimize damage and expedite repair. The appropriate setback distance from the trace of the fault would be variable, depending on the conditions, but normally would be a minimum of at least fifty feet on either side of the sheared zone.</p>	<p>Consistent. The development for the Project would be part of the existing operations at the LFC facilities. The location of the truck loading rack is not on or across historically active or active faults. Therefore, the Project is consistent with this policy.</p>
County Circulation Element and Congestion Management Plan	
<p>CE B. Roadway Standards. The Policy capacities provided in this Element shall be used as guidelines for evaluating consistency with this section of this Element. A project's consistency with this section shall be determined as follows: A project that would contribute Average Daily Traffic (ADT) to a roadway where the Estimated Future Volume does not exceed the policy capacity would be considered consistent with this section of this Element.</p>	<p>Consistent. As addressed in SEIR Section 4.5 (Transportation and Circulation) and Revision Letter No. 1 Section 4.4, temporary vehicle trips during construction would not increase existing roadway or intersection levels of service, or exceed acceptable roadway and intersection volume to capacity ratios.</p> <p>U.S. 101 roadway segments that would be used by the Project operate at LOS B or better under daily and peak hour conditions. Levels of service for all</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
<p>CE Policy E: A determination of project consistency with the standards and policies of this Element shall constitute a determination of project consistency with regard to roadway and intersection capacity.</p> <p>CMP LOS Goal: LOS D or better on U.S. 101 through the Project area.</p> <p>GCP Policy TEI-7: U.S. Highway 101 Operational Conflict Impacts. Proposed new or expanded public or private uses, commercial uses, and visitor-serving uses may be required to submit an analysis that evaluates the anticipated operational conflicts impacts to U.S. Highway 101 operations and makes recommendations on how conflicts can be overcome or mitigated. All uses for which primary property ingress and egress is either directly or indirectly through an at-grade intersection with Highway 1 or Highway 101, shall be submitted to Caltrans for comment prior to permit approval by the Planning and Development Department. Caltrans review shall be in the form of a letter commenting on the effects, if any, of the proposed highway access, and identify any recommended safety requirements applicable to the project. Confirmation of compliance with any applicable safety requirements must be verified prior to zoning clearance.</p>	<p>other roadways and intersections used by the Project would not increase.</p> <p>Project traffic would access U.S. 101 via Calle Real and other on-and off-ramps and no at-grade intersections would be used. Operation of the Project could exceed acceptable levels of service for the U.S. Highway 101/State Route 166 East intersection during peak traffic periods. However, implementation of Conditions XX-7A and XX-7B would prohibit Project trucks from using this intersection during the peak AM and PM hours so that the Project does not contribute to degradation of the intersection's operation. Condition XX-7B, which prohibits trucks on the U.S. 101/State Route 166 intersection between 7:00 – 9:00 AM, and 4:00 – 6:00 PM would only be applicable while the SMPS is in operation.</p> <p>Based on the forgoing, the Project is consistent with these Circulation Element, Congestion Management Plan, and Gaviota Coast Plan policies.</p>
County Noise Element	
<p>Noise Policy 1: In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p>	<p>Consistent. On average the Project would add about 6 one-way trips per hour on the LFC access road. Trucks at slow speed have a noise level of about 85 dBA at 50 feet away. At 200 feet from the roadway, the noise level of the trucks would be about 38 dBA. Noise from the operation of the tanker trucks within the LFC would not be expected to exceed a 65-dB day-night average sound level and noise level increases from the trucks on roadways outside of LFC would not be perceptible.</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
	Therefore, the Project is consistent with this Noise Element Policy.
Visual/Aesthetic Resources	
<p>LUE Visual Resources Policy 2: In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</p> <p>GCP Policy VIS-1: Visual Compatibility. The height, scale, and design of structures shall be compatible with the character of the surrounding natural and agricultural environment.</p> <p>GCP Policy VIS-5: Lighting. The night sky and surrounding land uses shall be protected from excessive and unnecessary light associated with development.</p> <p>GCP Policy VIS-10: Energy Development. Energy development (e.g., wind, solar, oil and gas, and associated infrastructure) shall demonstrate to the extent feasible consistency with the visual resources policies of the Gaviota Coast Plan.</p> <p>Coastal Act Section 30251 Scenic and visual qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to, and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</p>	<p>Consistent. The new loading rack would be located within the existing LFC facilities, which is located outside of the Coastal Zone, and the Project site is not visible from public viewing points. Installation of the new truck loading rack and related equipment would not alter any natural landforms or intrude into the skyline and would be compatible with the existing development at the site which is heavily industrial in scale. New lighting at the Project site would be limited and directed to the loading rack to prevent spillover. The proposed truck loading facilities would not be visible from public viewing points within the County-designated Gaviota Coast Critical Viewshed Corridor that runs along the coast south of the Project site.</p> <p>The oil and gas processing facilities within the Canyon are substantially larger and taller than the proposed truck loading rack, and as such would not change the overall visual quality of the LFC site.</p> <p>Therefore, the Project is consistent with these Land Use Element, Gaviota Coast Plan and Coastal Act policies.</p>

Table 6. Modified Interim Trucking Project Consistency with Comprehensive Plan Policies	
REQUIREMENT	DISCUSSION
Trails and Coastal Access	
<p>GCP Policy REC-13: Roadside Parking. Existing free roadside parking on county roads and U.S. Highway 101 are key to public use and enjoyment of the Gaviota Coast and shall be protected.</p> <p>GCP Policy REC-13a: Public Parking. (COASTAL) Provide adequate parking to serve recreation uses. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided. New parking areas and associated facilities shall be distributed throughout the Plan area to minimize the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.</p> <p>GCP Policy REC-21: Las Flores Canyon. The County shall consider opportunities for recreational uses within Las Flores Canyon including the development of a full-service campground and at least one trail to West Camino Cielo at such time the Las Flores Canyon Oil & Gas Processing Plant is decommissioned.</p>	<p>Consistent. Project trucks would use Calle Real and Refugio Road, which both provide roadside parking for recreational users. Trucks traveling along these local roads would not result in the elimination of any of the existing roadside parking.</p> <p>The Project would not extend the life of the SYU facilities. The trucking facilities would only be in service for seven years or until a pipeline system becomes operational, whichever is shorter. The construction and operation of the truck loading facilities at the LFC facility would not prevent the potential development of a full-service campground, and at least one trail to West Camino Cielo at such time the Las Flores Canyon Oil & Gas Processing Plant is decommissioned.</p> <p>Therefore the Project is consistent with these Gaviota Coastal Plan polices.</p>

6.10 Land Use and Development Code (LUDC) and Coastal Zoning Ordinance (Article II) Compliance

Santa Barbara County ordinance standards require that offshore oil that is processed at onshore locations be transported to a refinery destination by pipeline unless specific standards are met, as discussed below. These requirements are codified in LUDC Section 35.52.060: Treatment and Processing Facilities (for Offshore Oil), and Article II Coastal Zoning Ordinance, Section 35-154.5: Onshore Processing Facilities Necessary or Related to Offshore Oil and Gas Development. Sections 6.3.2 and 6.3.3 below provide a detailed analysis of the Project’s compliance with salient sections of the County LUDC and Article II, respectively.

6.10.1 Interim Determination that Pipeline Transportation of SYU Crude Oil is Infeasible

To approve the Modified Project, and satisfy LUDC 35.52.060.B.10.b, and CZO Section 35-154.5(i), which includes SYU FDP Condition VI-1, County decision makers will need to make a determination that pipeline transportation of SYU crude oil is infeasible.

An analysis of the requirements presented in the LUDC 35.52.060.B.10.b and Article II CZO 35-154.5(i) is provided in Tables 7 and 8 in the sections below. Attachment A includes a Finding for this determination.

6.10.2 Compliance with Land Use and Development Code Requirements

The following table identifies relevant LUDC requirements and an assessment of how the Modified Project complies with those requirements. As discussed below, and with implementation of the conditions of approval, the construction and operation of the Modified Project would comply with the applicable requirements of the County’s LUDC.

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
<p>Section 35.25.030 - Industrial Zones Allowable Land Uses: Table 2-22 (Allowed Land Uses and Permit Requirements for Industrial Zones)</p>	<p>In compliance. Oil and gas uses are allowable on lands zoned M-CR Coastal Related Industry with issuance of the appropriate permit(s). The LFC is partially zoned M-CR (for those areas not within the coastal zone). The development for the Project would occur in areas of the LFC that are zoned M-CR, which are outside of the Coastal Zone.</p>
<p>Section 35.25.040 – Industrial Zones Development Standards: The following standards shall apply to M-CR Coastal-Related Industry zoning.</p> <ol style="list-style-type: none"> 1. Setbacks. Minimum setbacks required: Front: 50 ft from road centerline, and 20 ft from right-of-way. Side – Corner: Same as front. Side – Interior: 10 ft. Rear: 10 ft; 50 ft abutting a residential zone. 2. Height Limit. Maximum allowable height of structures at 45 ft. 	<p>In compliance. Development at the LFC consists of truck loading improvements located within an existing developed portion of the LFC facilities, occupying about 0.12-acres. Development within the LFC is more than a mile up the canyon from the entrance to the facility at Calle Real. There are no residential zones abutting the property boundaries. The LACT skid piping is approximately 8.5 feet tall at its maximum point. The piping support going to the loading rack is 18 feet, 3-inches. All setbacks and height limits of the construction of the truck loading racks and associated equipment comply with the M-CR development standards.</p>
<p>Section 35.52.060.B: Treatment and Processing Facilities Development Standards: The following standards shall apply to allowed treatment and processing facilities.</p>	<p>In compliance. The only new source of noise associated with the Project is the operation of tanker trucks on public roadways. Existing LFC shipping pumps would be used to transfer the oil to the truck loading rack. On average the Project would add about 6 one-way trips per hour on the LFC access road. Trucks at slow speed have a</p>

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
<p>1. Noise. The level of noise generated by the facility at or beyond the property boundary shall not exceed 70 dB(A).</p>	<p>noise level of about 85 dBA at 50 feet away. At 200 feet from the roadway, the noise level of the trucks would be about 38 dBA. Noise from the operation of the tanker trucks within the LFC would not be expected to exceed a 65-dB day-night average sound level and noise level increases from the trucks on roadways outside of LFC would not be perceptible. In addition, and in an effort to eliminate a potential noise source, the Project includes a prohibition on the use of compression release engine brakes (“jake” brakes) on Calle Real except in an emergency. Therefore, the Project is consistent with Noise Element Policy 1.</p>
<p>2. Outdoor lighting. Lights shall be shielded to ensure that lighting is confined to the project site.</p>	<p>In compliance. The Project includes the installation of new lighting at the truck loading area that would be shielded and confined to the project site due to the topography of the canyon. These lights would be placed within the middle of the existing LFC facility which already has a substantial amount of existing lighting. The proposed Project would not add any additional glare from the LFC facility that would be visible at public viewing locations.</p>
<p>3. Visible gas flares. Visible gas flares shall not be allowed except for emergency purposes unless deemed infeasible for a particular operator.</p>	<p>In compliance. The Project would not involve the installation of any visible gas flares.</p>
<p>4. Grading. Grading and alteration of natural drainages shall be minimized.</p>	<p>In compliance. The Project would not result in any grading or alternations of natural drainages.</p>
<p>5. Erosion. Adequate provisions shall be made to prevent erosion and flood damage.</p>	<p>In compliance. The truck loading rack would be constructed on an existing flat pad. The pad is already designed to control erosion and water flow.</p>
<p>6. Prevention of access. The site shall be enclosed with a fence or wall to prevent unauthorized access.</p>	<p>In compliance. The proposed truck loading rack would be installed within the existing LFC site which is fully enclosed with fencing to prevent unauthorized access.</p>

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
<p>7. Truck operation hours and routes. It shall be prohibited to operate trucks exceeding one and a half tons for use in oil and gas operations between the hours of 9 p.m. and 7 a.m. of the next day upon streets within a residential neighborhood. This prohibition shall not apply in an emergency as determined by the County Sheriff, Fire Department, or Petroleum Administrator. This regulation shall go into effect and shall apply to streets or parts of streets only after signs giving notice of the prohibition are posted at entrances to the affected streets or parts of streets. Truck routes shall be reviewed for proposed oil or gas facilities to ensure that oil field support traffic is not routed through residential neighborhoods, unless alternative routes do not exist.</p>	<p>In compliance. None of the proposed truck routes would pass through areas that are zoned residential.</p>
<p>8. Noxious odors. Noxious odors associated with the facilities shall not be detectable at the property boundary</p>	<p>In compliance. Hydrocarbon vapors generated from the truck loading operations would be collected and routed to the existing LFC vapor recovery system. The only source of odors would be related to fugitive emissions associated with loading rack operations, the LACT units, or from leaks associated with loading and piping components. The fugitive emissions would be less than two percent of the permitted fugitive and tank emissions for the existing LFC facility. This small increase would not affect the overall noxious odors from the LFC facility as detected at the property boundaries.</p> <p>A Health Risk Assessment (HRA) was conducted for the Proposed Project (SEIR Appendix B.3). According to the HRA report, the project would contribute 2.5 parts per billion (ppb) of H₂S for the acute risk, and 0.007 ppb of H₂S for the chronic risk. These are very low levels, and the 2.5 ppb could be above the minimum odor threshold for a small fraction of people but would not be high enough to be result in “noxious</p>

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
	odors”. Therefore, the HRA demonstrated that the concentrations of odor compounds, primarily H ₂ S, would be close to and below the minimum odor threshold for H ₂ S from the project equipment and therefore would not contribute to noxious odors.
<p>9. Equitable, nondiscriminatory access to consolidated facilities. Within the South Coast Consolidation Planning Area, operators and owners of County designated consolidated facilities and sites shall make their facilities and property available for commingled processing and consolidation of oil and gas facilities on an equitable and nondiscriminatory basis. If existing processing capacity is insufficient to accommodate proposed production and necessary new facilities are not allowed in compliance with the County’s consolidated policies, operators of consolidated facilities shall reduce throughput on a pro-rata basis to accommodate other developers.</p>	<p>In compliance. The Applicant has committed as part of their Final Development Plan (Condition VII-1) to provide equitable, nondiscriminatory access to the LFC site. To date, no other production companies have expressed interest in transporting produced emulsion to the LFC facility.</p>
<p>10. Transportation of processed oil.</p> <p>a. Overland pipeline transport. Oil processed by facilities that receive oil from offshore fields exclusively or from both offshore and onshore fields shall be transported from the facility and the County to the final refining destination by overland pipeline, except in the case of highly viscous oil or during an emergency, as stipulated below. For the purposes of this Subsection, final refining destination shall mean a refinery in California where final refining of the subject oil into products is accomplished. In addition, oil shall be considered to reach its final refining destination if the oil has been:</p> <p>(1) Transported out of the State of California, and does not reenter before final refining; or</p>	<p>In compliance. Since 1993, crude treated and processed at the LFC facility has been transported through the Plains Pipelines 901 and 903 to its refinery destination in compliance with this provision, and Condition VI-1 of 87-DP-32cz. The Applicant’s SYU operations and LFC facility has been shut-in since Plains Pipelines 901 and 903 shut down in 2015. Plains has applied for permits to replace its Line 901/903 system to return the pipeline to service and these applications are currently undergoing environmental review, which will be followed by public hearings. Plains estimates a 12- to 18-month construction timeline if the Plains Replacement Pipeline Project (Case No. 17DVP-00000-00010) is approved. It has been estimated that the Plains Replacement Pipeline Project</p>

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
<p>(2) Transferred to truck or train after leaving the County by pipeline and does not re-enter the County by truck or train, and is not transferred to a marine terminal vessel for further shipment to a port in California before final refining.</p> <p>b. Other transportation methods. Transportation by a mode other than pipeline may be allowed only:</p> <p>(1) For that fraction of the oil that cannot feasibly be transported by pipeline; and</p> <p>(2) When the environmental impacts of the alternative transportation mode are required to be mitigated to the maximum extent feasible.</p> <p>In all cases, the burden of proof as to the infeasibility of transport by pipeline and the need for alternative transportation modes shall be on the shipper</p> <p>c. Highway or rail transport of highly viscous oil. A Development Plan may allow transportation of highly viscous oil by highway or rail only if the Director finds that the oil is so highly viscous that pipeline transport is infeasible, taking into account available options (e.g., modifications to existing pipelines, blending of natural gas liquids). This finding shall be in addition to findings required for approval of Development Plans in Subsection 35.82.080.E (Findings required for approval), Section 35.55.040 (Treatment and Processing Facilities - Findings for Development Plans).</p> <p>d. Emergency temporary transport by waterborne vessel. Temporary transport of oil by waterborne vessel may be authorized under an Emergency Permit if the Governor of the State of California declares a state of emergency in compliance with Public Resources Code Section 30262(a)(8) for an</p>	<p>likely would not be operable for four to seven years and there is no other pipeline in place to transport ExxonMobil’s crude oil from Las Flores Canyon. Therefore, pipeline transportation to intended refinery destination(s) is infeasible for the Applicant at this time.</p> <p>The Project would allow the Applicant to ship SYU crude oil via tanker truck to pipeline facilities for further transport to a refinery destination until the Plains Lines 901 and 903 are replaced or repaired. Plains All American is in the process of obtaining permit approval from the County to replace Lines 901 and 903. Once these pipelines become available, the trucking of crude oil would cease (Condition XX-9). The Project would limit trucking until the pipeline is available, or for seven years, whichever is shorter. If trucking is needed beyond seven years, extension of the trucking period would have to be considered and approved by the Santa Barbara County decision makers.</p> <p>Condition VI-1 of 87-DP-32cz states that transportation by a mode other than pipeline may be permitted in accordance with the Coastal Zoning Ordinance Section 35-154.5(i), coastal plan policies, and SBCAPCD air quality attainment plans. See Tables 6 and 8 of this staff report for the compliance discussion pertaining to these policies.</p> <p>Since SYU oil currently cannot be transported via an existing pipeline, and the impacts of the trucking project have been mitigated to the maximum extent feasible through the implementation of the mitigation measures identified in the SEIR, the proposed Project meets the requirements of provision 10(b).</p> <p>SYU oil is not “highly viscous”; therefore, subsection (c) is not applicable. No waterborne vessel transportation is proposed; therefore, subsection (d) is not applicable. Condition VI-1</p>

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
<p>emergency that disrupts the pipeline transportation of oil produced offshore of the County. In this case, the oil transported by waterborne vessel shall be limited to that fraction that cannot feasibly be transported by pipeline. Transport by waterborne vessel shall cease immediately when it becomes technically feasible to resume pipeline transport.</p>	<p>has been modified to state that oil transportation by a mode other than pipeline, such as trucking, may be permitted only in accordance with applicable policies.</p>
<p>11. Additional standards if deemed necessary by Commission. In addition, the following development standards shall be applied to the extent deemed necessary by the Commission.</p> <p>a. Visual compatibility. The installation shall be visually compatible with the existing and anticipated surroundings by use of any or all of the following measures where applicable: buffer strips; depressions, natural or artificial; screen planting and landscaping continually maintained, and camouflage and/or blending colors.</p> <p>b. Monitoring system. A monitoring system to measure off-site impacts, including noise, vibration, odor, and air or water quality degradation, shall be required as a condition of approval.</p>	<p>In compliance. (a) The truck loading rack would be within the existing LFC facility. The loading rack would be a relatively small additional component to a much larger industrial facility and therefore, would be visually compatible with existing development and the surrounding area. No buffer strips; depressions, natural or artificial; screen planting and landscaping continually maintained, and camouflage and/or blending colors would be necessary to achieve compatibility with the site’s surroundings.</p> <p>(b) The current SYU Final Development Plan permit has several conditions that require monitoring (e.g Condition XII-3.a. for Consolidation Air Quality Monitoring, Condition XII-6 for Ambient Air Quality Monitoring Stations, Condition XII-16 for Demonstration of Monitoring Devices and Records to the APCD, Condition XV-1 for Noise Monitoring and Control, Condition XVII-1 for Surface Water Monitoring, and Condition XVIII-4 for Ocean Discharge Monitoring). All ongoing monitoring conditions also apply to the truck loading operations. Condition XX-3A (Mitigation Measure AQ-1) would require additional air emission monitoring specific to oil trucking operations.</p>
<p>12. Facility and site abandonment within the South Coast Consolidation Planning Area. The County shall review permits that are</p>	<p>In compliance. The decrease in production in the instant case is due to an upset condition where the pipeline used for shipping the oil is no longer</p>

Table 7. Modified Interim Trucking Project Compliance with LUDC Requirements	
REQUIREMENT	DISCUSSION
<p>approved after August 12, 1985 for new or modified oil and gas facilities when throughput, averaged (arithmetic mean) over any 12 consecutive months, does not exceed three percent of the facility’s maximum permitted operating capacity. The review shall be conducted in a duly noticed public hearing to determine if facility abandonment or facility modifications are appropriate.</p>	<p>available. The decrease in production is not due to a natural decline in the production of the Santa Ynez Unit reservoir. Therefore, this provision does not apply to the Project.</p>

6.10.3 Compliance with Article II, Coastal Zoning Ordinance

The following table identifies relevant Article II requirements and an assessment of how the Modified Interim Trucking Project complies with those requirements. As discussed below, and with implementation of the conditions of approval, the construction and operation of the Modified Interim Trucking Project would comply with the applicable requirements of Article II.

Table 8. Modified Interim Trucking Project Compliance with Article II Requirements	
REQUIREMENT	DISCUSSION
<p><i>Section 35-92.6 M-CR Coastal Related Industry - Setbacks for Buildings and Structures</i></p> <ol style="list-style-type: none"> 1. Front: 50 feet from the centerline 20 feet from the right-of-way line 2. Side: 10 feet, and on corner lots, the side yard along the side street shall conform to the front yard regulations of the district 3. Rear: 10 feet, and for any lot that has a rear boundary which abuts a lot zoned residential, 50 feet 	<p>Not applicable. All development would occur outside of the coastal zone, within areas of the LFC zoned M-CR inland. Therefore Article II requirements related to development within the coastal zone are not applicable. Compliance with setback and height requirements are discussed in Table 7 under Section 35.25.040 – Industrial Zones Development Standards.</p>
<p><i>Section 35-92.7 M-CR Coastal Related Industry - Height Limit</i></p> <p>No building or structure shall exceed a height of 45 feet</p>	<p>Not applicable. All development would occur outside of the coastal zone, within areas of the LFC zoned M-CR inland. Therefore Article II requirements related to development within the coastal zone are not applicable. Compliance with setback and height requirements are discussed in Table 7 under Section 35.25.040 – Industrial Zones Development Standards.</p>

Table 8. Modified Interim Trucking Project Compliance with Article II Requirements	
REQUIREMENT	DISCUSSION
<p><i>Section 35-154.5 Onshore Processing Facilities Necessary or Related to Offshore Oil and Gas Development – Development Standards</i></p> <p>a. The level of noise generated by the facility at the property boundary shall not exceed 70 db(A).</p> <p>b. The applicant has received “authority to construct” from the Air Pollution Control District.</p> <p>c. There shall be no visible emission of smoke.</p> <p>d. The installation shall be visually compatible with the potential surroundings by use of any or all of the following measures where applicable: buffer strips, depressions, natural or artificial; screen planting and landscaping continually maintained; camouflage and/or blending colors.</p> <p>e. All lights shall be shielded so as not to directly shine on adjacent properties</p> <p>f. Grading and alteration of natural drainages shall be minimized.</p> <p>g. Adequate provisions shall be made to prevent erosion and flood damage.</p> <p>h. Permanent structures and equipment shall be painted a neutral color so as to blend in with natural surroundings.</p>	<p>In compliance. (a) The Project would add some noise to the LFC facility from trucks traveling on the access road to the loading rack. The Project on average would add about 6 one-way truck trips per hour on the access road to the loading rack. Trucks at slow speed have a noise level of about 75 - 85 dBA at 50 feet. The nearest property line is about 200 feet from the roadway which would give a noise level of about 38 dBA.</p> <p>Therefore, the tucks would not be expected to result in an exceedance of the 70 dBA standard at the property line. The only major noise generating equipment associated with the loading operations would be the pumps, which are existing equipment and part of the baseline noise levels.</p> <p>(b) The applicant would be required to obtain an ATC permit for the loading rack from the SBCAPCD.</p> <p>(c) None of the equipment associated with the Project would generate smoke.</p> <p>(d) The loading rack would be installed within the existing LFC facility and would be a minor addition of equipment to an existing large industrial facility and therefore would be compatible with the existing surroundings.</p> <p>(e) The Project has the addition of lights that will be shielded from neighboring properties due to the canyon topography. The lights would be placed within the middle of the existing LFC facility which already as a substantial number of lights. The Project would not add any additional amount of glare to the LFC facility.</p> <p>(f) The Project would not result in any grading or alternations of natural drainages.</p> <p>(g) The loading rack would be constructed on an existing flat pad. The pad is already designed to control erosion and flood damage.</p>

Table 8. Modified Interim Trucking Project Compliance with Article II Requirements	
REQUIREMENT	DISCUSSION
	(h) The loading rack equipment would be painted to match the color scheme, approved by the County, which is used for the other parts of the LFC facilities.
<p>i. Permits for expanding, modifying, or constructing crude oil processing or related facilities shall be conditioned to require that all oil processed by the facility shall be transported from the facility and the County by pipeline as soon as the shipper's oil refining center of choice is served by pipeline. Transportation by a mode other than pipeline may be permitted only:</p> <p>1) Within the limits of the permitted capacity of the alternative mode; and</p>	<p>In compliance. The shipper's (Applicant's) oil was previously served by the Plains All American Line 901/903 system until May of 2015, when Line 901 ruptured and the 901/903 system was shut down. The pipeline system has remained out of service since the release, thereby eliminating the shipper's only transportation option for SYU crude oil. The Applicant has committed to using a pipeline when one is available.</p> <p>The Project description (Condition XX-1) includes a statement that the trucking permit is limited to the start of operation of the Plains All American Pipeline system or seven years, whichever is shorter.</p> <p>The Applicant has applied to build and operate a truck loading rack at the LFC facility that would have an annual average capacity of approximately 11,200 barrels per day. If the Project is approved, trucking would be limited to a maximum of 24,820 -25,550 round-trip truck trips per year to accommodate this permitted capacity.</p>
<p>2) When the environmental impacts of the alternative transportation mode are required to be mitigated to the maximum extent feasible; and</p>	<p>In compliance. CEQA only requires that significant impacts (Class I and II) be mitigated to a level of insignificance. This zoning ordinance requires that <u>all</u> impacts be mitigated to the maximum extent feasible. Additional mitigation measures have been added to further mitigate impacts of the project including impacts that were identified as Less than Significant (Class III).</p> <p>Additional mitigation measures are identified in Section 4.4 (Land Use) of the SEIR to help ensure impacts are mitigated to the maximum extent feasible for all impact categories.</p>

Table 8. Modified Interim Trucking Project Compliance with Article II Requirements	
REQUIREMENT	DISCUSSION
	<p>The Applicant has agreed to accept these measures as part of the Project which correspond to the following conditions of approval in Attachment B:</p> <ul style="list-style-type: none"> • Review of P&IDs to monitor fugitive emissions (Condition XX-6A) and vapor recovery system connection (Condition XX-6B). • Fully offset construction emissions (Condition XX-6C), and operational emissions (Condition XX-6D). • Vegetation trimming plan for truck route along Calle Real to improve visibility (Condition XX-6E). • Compression Release Engine Brake (Jake Break) Use Restriction on Calle Real Condition XX-6F). • Use of crossing guards along a section of Calle Real at El Capitan State Beach Road to protect pedestrians from conflicts with trucks (Condition XX-6G). <p>Inclusion of these measures in the conditions of approval will ensure that Project-related impacts have been mitigated to the maximum extent feasible.</p>
<p>3) When the shipper has made a commitment to the use of a pipeline when operational to the shipper's refining center of choice; and</p>	<p>In compliance. The Applicant stated in their application that once the Plains Pipeline Line 901/903 system is replaced or restored to operation, they would use the pipeline and cease trucking operations. The project description (Condition XX-1) includes a statement that the trucking permit is limited to the start of operation of the Plains All American Pipeline system or seven years, whichever is shorter.</p>
<p>4) When the County has determined use of a pipeline is not feasible by making one of the following findings:</p>	<p>In compliance. Subfinding (a) would apply to the current circumstances, which covers the unavailability of a pipeline within a reasonable period of time.</p>

Table 8. Modified Interim Trucking Project Compliance with Article II Requirements	
REQUIREMENT	DISCUSSION
<p>a. A pipeline to the shippers' refining center of choice has inadequate capacity or is unavailable within a reasonable period of time;</p> <p>b. A refinery upset has occurred, which lasts less than two months, precludes the use of a pipeline to that refinery, and requires temporary transportation of oil to an alternative refining center not served by pipeline;</p> <p>c. The costs of transportation of oil by common carrier pipeline is unreasonable taking into account alternative transportation modes, economic costs, and environmental impacts; or</p> <p>d. An emergency, which may include a national state of emergency, has precluded use of a pipeline.</p> <p>A permit based on finding b. or d. may be granted by the Director of the Planning and Development Department and shall be subject to appeal to the Planning Commission. A permit based on findings a. and c. may be granted by the Board of Supervisors. All permits in this section are subject to appeal to the Coastal Commission.</p> <p>All permits for the use of a non-pipeline mode of transportation may specify the duration for such permitted use. Such permit may be extended upon a showing of good cause based upon a consideration of the findings listed above. A permit based on finding b. shall be granted for two months only. If refinery upset conditions continue beyond two months and the shipper wishes to continue use of a non-pipeline transportation mode, the shipper must seek a new</p>	<p>Since 1993, crude treated and processed at the LFC facility has been transported through the Plains Pipelines 901 and 903 to its refinery destination in compliance with this provision. The Applicant's SYU operations and LFC facility has been shut-in since Plains Pipelines 901 and 903 shut down in 2015. Plains has applied for permits to replace its Line 901/903 system to return the pipeline to service and these applications are currently undergoing environmental review, which will be followed by public hearings. Plains estimates a 12- to 18-month construction timeline if the Plains Replacement Pipeline Project (Case No. 17DVP-00000-00010) is approved. If approved in the near future, the Plains Replacement Pipeline Project likely would not be operable for at least four to seven years and there is no other pipeline in place to transport ExxonMobil's crude oil from Las Flores Canyon. Therefore, pipeline transportation to intended refinery destination(s) is infeasible for the Applicant at this time.</p> <p>Condition VI-1 of 87-DP-32cz states that transportation by a mode other than pipeline may be permitted in accordance with Coastal Zoning Ordinance Section 35-154.5(i) discussed here, applicable Local Coastal Plan Policies, and Control Measure R-12 of the Air Quality Attainment Plan. For applicable Coastal Plan Policies, development is located at the existing LFC facilities on land zoned Coastal Related Industry (M-CR), which is located outside of the coastal zone. The Project is determined to be consistent with all applicable Coastal Plan Policies as described in Table 6 of this staff report. For the Air Quality Attainment Plan, the Plan that was in place when the original Development Plan was approved has been replaced with newer attainment plans, the latest being SBCAPCD's 2016 Ozone Plan. A project is consistent with the</p>

Table 8. Modified Interim Trucking Project Compliance with Article II Requirements	
REQUIREMENT	DISCUSSION
or modified permit that is based on a consideration of finding a., c., or d. In all cases, the burden of proof as to pipeline unavailability or inadequate capacity, unreasonable tariffs, and the need for and use of other transportation systems shall be on the shipper.	Ozone Plan if the air emissions associated with the project are accounted for in the Plan’s emissions growth assumptions (SEIR Section 4.1.4, Impact AQ.6). The Project, including cumulative effects, would not be significant as it would be consistent with the SBCAPCD rules and regulations with the implementation of controls and compliance measures outlined in Mitigation Measures AQ-1, the <i>Trucking Emissions Management Plan</i> , and GHG-1, <i>GHG Reduction Plan</i> . Therefore, the Project is also consistent with Condition VI-1 of Exxon’s existing Development Plan. Condition VI-1 (Attachment B) has been modified to state that oil transportation by a mode other than pipeline, including trucking, may be permitted only in accordance with applicable policies.

6.11 Subdivision/Development Review Committee

The proposed project was reviewed by the Subdivision/Development Review Committee on November 2, 2017. Condition letters provided by the APCD, the County Public Works Department Transportation Division, and the County EHS Department are included in Condition XX-8 in Attachment B.

7.0 APPEALS PROCEDURE

No appeal is required as the Planning Commission’s recommendations will be forwarded to the Board of Supervisors. A Board hearing date will be set and publicly noticed thereafter. The Board of Supervisors’ action on the project may be appealed to the California Coastal Commission pursuant to Article II, Section 35.182.6.3.e (Major Energy Facility). The action of the Board of Supervisors may be appealed to the California Coastal Commission within ten (10) working days of receipt by Coastal Commission staff of the County’s Notice of Final Action.

ATTACHMENTS

- A. Findings for Approval
- B. Conditions of Approval
- C. Proposed Final SEIR No. 19EIR-00000-00001 (SCH#2018061035)
<https://cosantabarbara.box.com/s/xfh8iigckvieiyyowwzzipuzl0zlmsda>
- D. Final SEIR - Revision Letter No. 1
- E. SYU Project EIR No. 83-EIR-22 (1984 EIR and 1986 SEIR)
<https://cosantabarbara.box.com/s/0tabelsy66wmjrvzk7bm6zhxt0fcg6yk>
- F. Exhibits
 - Figure 2-2 Las Flores Canyon Site Map
 - Figure 2-3 Proposed Truck Loading Facility Layout
 - Figure 2-4 Proposed Truck Routes to Receiving Facilities
 - Figure 2-5 Truck Route within Las Flores Canyon Facility
 - Figure 2-9 Santa Maria Pump Station Site Plan

ATTACHMENT A: FINDINGS FOR APPROVAL

ATTACHMENT A: FINDINGS FOR APPROVAL

The Planning Commission recommends that the Board of Supervisors adopt the following Findings for Approval of the ExxonMobil Modified Interim Trucking Project (17RVP-00000-00081, 19EIR-00000-00001).

1.0 CEQA FINDINGS *(Pursuant to Public Resources Code Section 21081 and the California Environmental Quality Act Guidelines Sections 15090, 15091, 15092, and 15093)*

1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Supplemental Environmental Impact Report (Final SEIR; 19EIR-00000-00001) dated August 2021 and Final SEIR Revision Letter No. 1 dated September 8, 2021 were presented to the Santa Barbara County Planning Commission. All voting members of the Planning Commission have reviewed and considered the information contained in the Final SEIR (19EIR-00000-00001) and its appendices, including Final SEIR Revision Letter No.1.

All voting members of the County Planning Commission have reviewed and considered testimony and additional information presented at or prior to the public hearings at the Planning Commission on September 29 and October 1, 2021. The Final SEIR reflects the independent judgment and analysis of the County Planning Commission and is adequate for the project.

1.2 FULL DISCLOSURE

The Planning Commission recommends that the Board of Supervisors finds that the Final SEIR (19EIR-00000-00001), as modified by the Final SEIR Revision Letter No. 1 dated September 8, 2021, constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA. The County Planning Commission further finds that the Final SEIR dated August 2021, and Final SEIR Revision Letter No. 1 dated September 8, 2021 have been completed in compliance with CEQA.

1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the County Planning and Development Department, located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

The Final SEIR (19EIR-00000-00001) for the ExxonMobil Interim Trucking for SYU Phased Restart Project along with the Final SEIR Revision Letter No. 1 identifies one environmental impact (Impact RISK.3) which cannot be fully mitigated to a level of insignificance and is therefore considered unavoidable (Class I). The Final SEIR and Final

SEIR Revision Letter No. 1 identifies this potential Class I impact of an oil spill that could adversely affect biological, water, and cultural resources. While impacts to these resources will be somewhat lessened because the Applicant has agreed to incorporate into the project the No Trucking During Rainy Periods and the Trucking to the Santa Maria Pump Station Only (while available) alternatives, they will remain significant and unavoidable. To the extent the impacts remain significant and unavoidable with mitigation, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. Feasible changes or alterations have been required in, or incorporated into, the approved project which avoid or substantially lessen the significant environmental effects to the maximum extent feasible, as discussed below.

Risk of Upset: The primary risk-of-upset event associated with the project stems from oil spills during truck loading operations at the Las Flores Canyon (LFC), and truck transportation of crude oil. These spills, if ignited, could lead to pool fires and potential thermal radiation hazards. In the event of an oil spill from a tanker truck, significant and unavoidable impacts could occur to sensitive resources, including biological, water and cultural resources, at the LFC facility and along the trucking routes (Final SEIR Impact RISK.3). Animals, plants and their habitats can be damaged or degraded by direct contact with spilled crude oil and/or by spill clean-up and restoration activities. The Final SEIR estimates that without mitigation, the probability of a spill of five or more gallons is once in 34 years for trucks going to the Phillips 66 Santa Maria Pump Station (SMPS), and once in 12 years for trucks going to the Plains Pentland Terminal. With implementation of Mitigation Measure RISK-1 (Truck Hazard Mitigation Plan), the annual probability of a spill of five or more gallons will be reduced to once in 52 years for trucks going to the SMPS, and once in 17 years for trucks going to the Pentland Terminal. While the SMPS is in operation, and only limited trucks (a maximum of 34 trucks per day) are allowed to travel to the Pentland Terminal during an extended yet temporary shutdown of the SMPS, the probability of a spill for trucks traveling to the Pentland Terminal will be reduced to once in 466 years. The Final SEIR estimates that the maximum extent of a spill of a full tanker truck will be approximately 0.25 acre (11,000 square feet) and will be confined to the road surface and habitat within an area of about 500 feet of the roadway. Spills at the LFC truck loading facility will be contained within the site and will not impact the public or onshore biological and water resources.

Biological Resources: Sensitive biological resources are detailed in Final SEIR Section 4.3.1.4 and include numerous special status plant species (Final SEIR Table 4.3-6) and special status aquatic and terrestrial wildlife species (Final SEIR Table 4.3-7) within ½-mile of the trucking routes. Within the Coastal Zone, the trucking route crosses areas that are classified as Environmentally Sensitive Habitat Areas (ESHAs) by the California Coastal Commission; these ESHAs include rare and endangered species habitats, wetlands, streams, near-shore reefs, tide pools, offshore rocks, native plant communities, dunes, kelp

beds, harbor seal rookeries and hauling-out grounds, and seabird roosting and nesting areas. Several plant communities identified as Natural Communities of Concern by the California Department of Fish and Wildlife and other protected habitats include Southern coast live oak riparian forest, southern cottonwood willow riparian forest, South Coast riparian scrub, willow-dominated thickets, wetlands, Southern vernal pools, valley needlegrass grassland, valley saltbush scrub, and oak forests, woodlands, and savannahs.

Onshore Water Resources: Final SEIR Section 4.3.1.5 identifies onshore water resources that could be affected by an oil spill, including major and minor streams and one lake (Twitchell Reservoir). Eighteen of these water bodies occur on or near the route between LFC and the SMPS, and 25 are located between the SMPS and the Pentland Terminal (Final SEIR Table 4.3-8).

Marine Resources: Special status bird and marine organisms of the Santa Barbara Channel occur along the eleven-mile stretch of the trucking route along the Gaviota coastline (Final SEIR Section 4.3.1.6, Table 4.3-9). These include whales, dolphins, porpoises, seals, sea lions, southern sea otter, fish, intertidal species, and over 300 species of birds in and near the Santa Barbara Channel.

Cultural Resources: The truck routes traverse lands traditionally occupied by the Chumash along the coast between San Luis Obispo and northwestern Los Angeles County. Neighboring groups included the Salinan to the north, the Southern Valley Yokuts and Tataviam to the east, and the Gabrielino (Tongva) to the south. A total of 39 known cultural resources are located within 500 feet of the trucking routes (Final SEIR Section 4.3.1.7, Table 4.3-10). Twenty-nine of these resources are located along or near the route from LFC to the SMPS, and 10 are located along the route from the U.S. 101/CA Route 166 intersection to the Pentland Terminal.

Implementation of adopted conditions of approval will minimize the potential for an accidental oil spill to occur and, if a spill does occur, minimize the extent of damage to sensitive terrestrial and marine biological, water, and cultural resources to the maximum extent feasible. Condition XX-5A (MM RISK-1) requires implementation of equipment safety, communication, and monitoring features and driver training and safe practices to reduce the likelihood of a truck accident and thus reduce the probability that a spill will affect sensitive resources. Condition XX-5B (MM RISK-2) requires updating of the existing LFC Spill Prevention, Control and Countermeasure Plan, LFC Emergency Response Plan and SYU Facility Response Plan to include trucking operations at the LFC facility to ensure response measures are current. Condition XX-5C (MM RISK-3) requires that the Owner/Applicant ensure that trucking companies demonstrate financial responsibility to cover the costs of an oil spill cleanup in the amount of at least \$5,000,000 and to provide for adequate clean up in the event of a spill. Condition XX-5D (MM RISK-4) requires each trucking company to have a Trucking Route Oil Spill Contingency Plan specific to the project truck routes. The plan will identify, for each trucking company, spill

notification procedures, protection measures (including identification of natural resources at risk), available spill response organizations and monitors, and spill response training, including annual table-top exercises. Condition XX-5E (MM RISK-5) requires that the Owner/Applicant fund the cost, up to \$25,000, of an oil spill response trailer for the County Fire Department in the Santa Maria area, and Condition XX-5F (MM RISK-6) requires that the Owner/Applicant fund the cost, up to \$8,000 of an unmanned aerial vehicle, to improve spill response coordination.

The Planning Commission recommends that the Board of Supervisors finds that limitation of normal trucking operations to delivery of crude oil to the SMPS only while available, and no trucking during rainy periods, along with implementation of mitigation measures RISK-1 through RISK-6, which have been adopted as Conditions of Approval XX-5A through XX-5F, and existing SYU Project Condition III-1 (EQAP) will mitigate significant and unavoidable impacts to the maximum extent feasible and that there are no other feasible mitigation measures that could be required that will further reduce these significant impacts.

1.5 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The Final SEIR (19EIR-00000-00001) dated August 2021, including Final SEIR Revision Letter No. 1 dated September 8, 2021, identified subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified in the Final SEIR, feasible changes or alterations have been required in, or incorporated into, the project in the form of conditions of approval which avoid or substantially lessen the significant environmental effects to insignificance, as summarized below. The impacts and mitigation measures are more fully described in the respective resource area discussions in the Final SEIR and Final SEIR Revision Letter No. 1. The full text of each Condition of Approval is provided in Attachment B to the September 8, 2021 Planning Commission staff report.

1.5.1 Air Quality

The Final SEIR (Sections 4.1 and 5.2.3) and the Final SEIR Revision Letter No. 1 conclude that while the SMPS is in operation, the Modified Interim Trucking Project will result in nitrogen oxides emissions for 78 daily truck trips to the SMPS of 23.7 lbs/day, and emissions of 24.5 lbs/day for 34 daily truck trips to the Pentland Terminal, if the SMPS is temporarily shutdown. Both of these estimates are below the County threshold of 25 lbs/day. Once the SMPS is no longer in operation, nitrogen oxide emissions for 78 daily trucks to the Pentland Terminal would be 58.9 lbs/day. These mobile source emissions for truck trips to Pentland Terminal are estimated to exceed the County threshold; therefore a mitigation measure (MM AQ-1 [Condition XX-3A], Trucking Emissions Management

Plan) was identified that will require implementation of certain standards to reduce mobile source emissions such that the threshold will not be exceeded.

1.5.2 Climate Change – GHGs

The Final SEIR (Sections 4.2 and 5.2.3) and Final SEIR Revision Letter No. 1 conclude that the Modified Interim Trucking Project will result in potentially significant GHG emissions primarily from operation of the tanker trucks, and to a lesser extent from operation of the loading racks, fugitive hydrocarbon components, and electrical use at the LFC. Peak year GHG emissions (construction and operation) are estimated to be 4,493 metric tons of carbon dioxide equivalent (MTCO_{2e}) with all trucks going to the SMPS while it's in operation, and 4,643 MTCO_{2e} if crude oil is trucked to the Pentland Terminal during a temporary SMPS shutdown. Once the SMPS is permanently shutdown, peak year GHG emissions are estimated to be 9,831 MTCO_{2e} with all trucks going to the Pentland Terminal. All values exceed the County's GHG threshold of 1,000 MTCO_{2e} per year. Condition XX-4A (MM GHG-1) requires that project emissions above the County threshold be reduced or offset at a 1:1 ratio and requires the submittal of a GHG Reduction and Reporting Plan that quantifies project-related GHG emissions for each year and demonstrates the quantity of offset credits surrendered. The annual report must reconcile the actual emissions of the previous year with the quantity of mitigation provided. If actual GHG emissions for a year are greater than the mitigation quantity provided for that year, additional GHG reduction or offsets must be provided. Condition XX-4A also requires that onsite GHG reductions be exhausted to the extent feasible before credits or offsets from an offsite project are surrendered and that, where credits/offsets are from offsite mitigation, preference is given to those generated within Santa Barbara County. In addition, freely allocated allowances held by the project Owner/Applicant and allowances purchased by the Owner/Applicant from entities other than the State of California shall not be used as mitigation under this requirement because they are tradable compliance instruments for the State's Cap-and-Trade Program. With implementation of the measures required in Condition XX-4A, the project's GHG emissions will be less than significant.

1.5.3 Traffic and Transportation

The Final SEIR and Final SEIR Revision Letter No. 1 identified two Class II traffic-related impacts that could result from Modified Interim Trucking Project operations:

Impact TR.2 – Operational truck trips could increase the volume-to-capacity ratio or degrade the Level of Service at the intersection of U.S. Highway 101 and State Route 166 during the early morning and afternoon peak hours. Condition XX-7A (MM TR-1) prohibits project trucks from passing through the U.S. Highway 101 Northbound Ramp/State Route 166 intersection during the peak hours of 5:30 – 6:30 AM, and prohibits project trucks from passing through the U.S. Highway 101 Southbound Ramp/State Route 166 intersection during the peak hours of 4:00 to 5:00 PM.

Impact TR-3 – Project trucks on Calle Real could create traffic hazards during morning and afternoon periods when school buses are present. Condition XX-7C (MM TR-2) prohibits project trucks on Calle Real during the hours of 7:45 to 8:30 AM and 2:55 and 3:40 PM when students are being bussed to/from school. Condition XX-7D (MM TR-3) restricts project truck speeds on Calle Real to 35 miles per hour or lower at all times and to 30 miles per hour or lower when it is raining.

Cumulative Impacts - To address cumulative impacts, Condition XX-7B prohibits trucks from passing through the U.S. Highway 101/State Route 166 intersection during the 7:00 – 9:00 AM peak hours, and during the 4:00 – 6:00 PM peak hours. This condition would only be applicable while the SMPS is in operation.

Implementation of Conditions XX-7A through 7D will reduce these traffic impacts to less than significant.

1.6 **FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE**

The Final SEIR evaluated a no-project alternative, a reduced project alternative, and two project configuration alternatives as methods of reducing or eliminating potentially significant environmental impacts. As discussed in Section 2.8.2 of the Final SEIR and incorporated herein by reference, several other potential alternatives to the proposed project, including alternative project locations and alternative energy, were considered but not carried forward for analysis because they will not meet most of the project’s objectives or are otherwise infeasible.

The County Planning Commission recommends that the Board of Supervisors finds that a combination of the proposed project as modified by two alternatives assessed in the Final SEIR and Final SEIR Revision Letter No. 1 (Trucking to the SMPS Only while available, and No Trucking During Rainy Periods; “Modified Interim Trucking Project”) is a feasible alternative to the originally proposed project that reduces the risk of incurring the significant and unavoidable impacts identified in the Final SEIR. The following other alternatives are infeasible for the reasons stated below.

No Project Alternative. Under this alternative, a truck loading rack and associated ancillary equipment will not be built and produced crude oil will not be transported by tanker trucks from LFC to the SMPS or the Pentland Terminal for further transport to refinery destinations. The SYU offshore oil production platforms will not be returned to production until an overland pipeline is available. The SYU and LFC facilities will either continue to be maintained in their current shut-in status under existing permit approvals, or could be abandoned and removed. Implementation of the No Project Alternative will avoid the adverse impacts associated with the project.

The Planning Commission recommends that the Board of Supervisors rejects the No Project Alternative because it will not meet any of the project objectives.

Reduced Trucking Alternative. Under this alternative, trucking of oil from the LFC facility will be limited to a maximum of 50 trucks per day. All onshore components and construction will be the same as for the proposed project. SYU production will be limited to about 8,000 barrels per day (bpd), compared to 10,800 - 11,200 bpd for the proposed project. All impacts described for the proposed project in the Final SEIR will occur at the same level and classification under this alternative.

The Final SEIR (Sections 2.0 and 5.2.2) identifies operability issues that could occur with an 8,000-bpd production rate, based on experience with production rates of 9,000 to 10,000 bpd after the shutdown of the Plains Pipeline 901/903 system in 2015. Reduced velocity in the emulsion pipeline from the platforms to LFC could allow the water/oil emulsion to separate, leading to: (1) increased potential for corrosion in the pipeline due to water settling in the bottom of the pipeline; (2) lack of accurate pipeline integrity data from instrumented maintenance tools (i.e. pipeline pigs); and (3) reduction in the leak detection system's ability to detect potential leaks in the emulsion pipeline. These factors could lead to a higher probability of failure of the pipeline from the SYU platforms to the LFC. In addition, the reduced emulsion flow rate could lead to exceedances of the carbon monoxide (CO) limits in the Santa Barbara County Air Pollution Control District (SBCAPCD) Permit to Operate for the cogeneration gas turbines at LFC due to decreased efficiency of the turbines at this lower operational rate.

The Planning Commission recommends that the Board of Supervisors rejects this alternative because it does not avoid significant environmental effects of the project and could result in additional air quality and risk-of-upset impacts.

1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

The Final SEIR (19EIR-00000-00001) and Final SEIR Revision Letter No. 1 identify impacts to biological, water, and cultural resources due to potential oil spills as significant environmental effects which are considered unavoidable. Several mitigation measures adopted as conditions of approval will serve to reduce these impacts, but even with the inclusion of these conditions, the impacts cannot be reduced to less than significant levels.

The County Planning Commission therefore makes the following Statement of Overriding Considerations which warrants approval of the Modified Interim Trucking Project (proposed project as modified by Trucking to the SMPS-Only while available/No Trucking During Rainy Periods) notwithstanding that all identified effects on the environment are not fully mitigated.

With respect to each of the significant environmental effects of the project noted above and as discussed in the September 8, 2021 Planning Commission staff report incorporated herein by reference, the County Planning Commission finds that the stated benefits of the Modified Interim Trucking Project outweigh the significant effects on the environment. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections

15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to the following overriding considerations:

Return locally produced oil to California refineries and supports California energy independence (economic considerations and region-wide or statewide environmental benefits).

Prior to the shut-in of the LFC facilities, oil produced from SYU was transported via pipeline to various refinery destinations in California. With the 2015 shut-in of the SYU facilities, other sources of crude, likely from foreign sources, replaced this supply in the California market. The project will return local crude oil production to the California refinery market, and will likely displace some imported foreign crude due to the inelastic demand for this commodity. Demand for crude oil is not dependent on supplies available, but rather the demand for final fuel products. Fuels, and therefore oil demand, is fairly constant, and oil supply to refineries can be substituted from one producer to another. California has no pipeline to import oil into the state's refinery system; it relies almost entirely on marine transported oil from foreign sources, as well as declining Alaska production, to meet refinery demand. This demand currently exceeds California's in-state production, which is declining. Foreign sources such as Saudi Arabia (California's largest source of refinery oil from 2017 – 2019) must transport their oil significant distances, and have much higher transportation costs. Replacement of foreign crude with mitigated SYU production could reduce GHG and criteria pollutant emissions from ocean tankers and other emissions generated during production of oil overseas.

In addition, as California works towards its renewable power and zero emission vehicle goals, there will remain a need for fossil fuel in both the transportation and power sectors. Currently, more than 70 percent of oil entering California's refineries to meet the State's needs is from out of the State and is delivered primarily by marine tanker. In 2019, over 58 percent of crude oil supplied to California refineries was shipped from foreign sources. The largest suppliers of foreign oil to California are Saudi Arabia, Ecuador, Columbia, and Iraq followed by smaller supplies from Brazil, Mexico, Africa and the Arabian Gulf¹. The project will return a reliable, local source of oil to California supporting the state's energy independence.

Supply local crude to meet local demand (economic considerations and region-wide or statewide environmental benefits).

As California works towards its renewable power and zero emission vehicle goals, there remains a significant need for fossil fuels in both the transportation and power sectors. The project will provide energy to the California market that has been produced following the environmental and safety standards of the County of Santa Barbara, as well as state and

¹ <https://www.energy.ca.gov/data-reports/energy-almanac/californias-petroleum-market>

federal governments. The SYU infrastructure is already permitted and in place and requires no new development to restart. The SYU infrastructure was subject to extensive environmental review and mitigation during its construction.

Reduce truck traffic eastbound from SMPS, reducing and mitigating GHGs and criteria pollutants (region-wide or statewide environmental benefits).

As discussed in Final SEIR Section 4.5 (Impact TR.2), based upon historical data on the percentage by location of trucks unloading crude oil at the SMPS, it is estimated that the project at full operation will displace 38 existing trucks per day traveling from the east. Sixty-seven percent of the trucking to SMPS historically has come from the San Joaquin Valley, traveling greater distances to reach the SMPS and using either State Route 166 or 46 to do so. The project will reduce oil tanker truck traffic on these two corridors as well as reduce GHG and criteria pollutant trucking emissions due to the shorter route for the project (108.4 miles verses an estimated 255-mile round trip from the San Joaquin Valley). Further, it is unlikely that emissions from the displaced trucks were subject to GHG mitigation or are required to be newer trucks. The Modified Interim Trucking Project emissions are mitigated to the maximum extent feasible, including use of 2017 or newer model trucks, which are more efficient and produce lower emissions than older trucks.

Restoration of low carbon intensity crude to California Refineries (technological considerations and region-wide or statewide environmental benefits).

Interim trucking will restore production of lower carbon intensity crude oil for processing in California refineries. Under the state's low carbon fuel standard (LCFS) regulation implemented by the California Air Resources Board (CARB), crude oil carbon intensity measures the amount of greenhouse gases emitted from the production and transport of crude oil. CARB's annual assessments of the statewide average carbon intensity of crude oils processed in California refineries show a steadily increasing value since the SYU shut-in, from 12.06 grams of CO₂ equivalent per megajoule of energy produced (gCO₂e/MJ) in 2015 to 12.52 gCO₂/MJ in 2019. The SYU encompasses production from the Hondo, Pescado and Sacate fields in the federal OCS. CARB's LCFS regulation (revised, effective July 2020) shows the carbon intensities for the SYU fields as 5.93 gCO₂e/MJ for Hondo, 7.07 gCO₂e/MJ for Pescado, and 4.77 gCO₂e/MJ for Sacate, thus 44% - 62% lower than the most current (2019) average carbon intensity of the crude oils refined in California refineries.

Restoration of Coastal Resources Mitigation Funds (CRMF) (economic and social considerations).

The project will reinstate former levels of Coastal Resources Mitigation Fund (CRMF) funding (formally Coastal Resource Enhancement Fund [CREF]). CRMF is used to fund projects that enhance the affected coastal resources. The Board of Supervisors has awarded over \$22,000,000 in grant funding since 1988 of which \$6,800,000 was contributed by

ExxonMobil in association with the SYU facilities as required under Condition X-8. ExxonMobil's annual contribution was reduced from \$231,600 to \$104,500 following the SYU facility shut-in. Pre-2015 CRMF funding levels will resume with reactivation of production from the SYU and reassessment of the SYU CRMF contribution by the Board of Supervisors.

Increased Property Tax to the County (economic and social considerations).

Property and sales tax revenue declines occurred when SYU production was shut in. These revenues support local services, such as public safety and schools, including Vista Del Mar and Santa Ynez High School. Prior to the shut-in of the SYU facilities in 2015, ExxonMobil paid approximately \$4.2 million annually in property tax on the LFC and the Pacific Offshore Pipeline Company (POPCO) facilities combined. From 2016 to 2020, property tax payments associated with these assets have fluctuated between \$1 million and \$1.7 million per year. The Modified Interim Trucking Project will reinstate approximately 10,880 to 11,200 barrels of oil per day (BOPD) of production which is up to approximately 39% of SYU baseline production when preparation of the SEIR began, as described in Final SEIR Section 4.0. Using this estimate, the project will contribute approximately an additional \$1.24 million in property tax over the current baseline each year of trucking operations, resulting in approximately \$8.68 million in additional property taxes over the full seven-year interim trucking period.

Return of local jobs (economic and social considerations).

The project will allow for a phased return to pre-shut-in levels of ExxonMobil employee and contractor jobs for both LFC and the offshore platforms, i.e., approximately 100 employees or contractors at LFC and 100 to 150 employees or contractors for the offshore operations. The economic stimulus of these returned jobs will also extend indirectly throughout the community to the extent these dollars are spent and re-spent locally. Community economic benefits are realized by employment income from the return of local jobs. For every dollar of income, workers spend a percentage within their community on a myriad of day to day goods and services including food, recreation, education and healthcare. The recipients of these payments, in turn, contribute a percentage into local businesses (household-to-business activity). This exchange continues to repeat, contributing to community benefits beyond the household income of the project employee, from household-to-business activity, to business-to-business activity. This ripple effect in the economy through local employment is the generally accepted economic concept of indirect, induced benefit.

Return of expenditures at local businesses (economic and social considerations).

The Applicant states that the project will result in positive direct economic effects associated with increased local spending for operations, maintenance, equipment rentals, transportation, restaurants, hotel stays, contracting for services, and local government fees.

Direct expenditures associated with resumption of SYU oil production will generate new revenues above existing levels in local economic activity, and would likely lead to additional business-to-business transactions as an indirect, induced benefit.

Local construction worker employment (economic and social considerations).

The construction of the truck loading rack is anticipated to employ a peak of 30 additional workers, which the Applicant states are anticipated to come from the local labor pool in Santa Barbara and will occur for 3 to 6 months. These workers will generate economic activity through spending at local retail outlets, restaurants and hotels, and would contribute to the same community economic benefits described above.

1.8 MITIGATION MONITORING AND REPORTING

Public Resources Code §21081.6 and CEQA Guidelines §15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. This monitoring program is designed to ensure compliance during all phases of project implementation. The project description, including conditions of approval with their corresponding permit monitoring requirements as described in Final SEIR Section 7.0 and as modified by adopted conditions of approval, is adopted as the reporting and monitoring program for the Modified Interim Trucking Project and will be incorporated as a supplement to the current SYU/LFC Environmental Quality Assurance Program (EQAP) (Condition III-1).

2.0 ADMINISTRATIVE FINDINGS

2.1 LUDC DEVELOPMENT PLAN FINDINGS

Findings required for all Preliminary or Final Development Plans. In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings, as applicable:

- 1. The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.***

The new truck loading rack will be constructed on an existing pad at the LFC Transportation Terminal truck loading area with minimal grading. Secondary containment of any potential spills will be fully collected within the existing containment basin designed for the LFC facility. No improvements to the existing roadways within LFC are necessary or required to accommodate the maximum 24,820 to 25,550 round-trip tanker truck trips per year. The project is designed to deliver up to 10,880 to 11,200 barrels of oil per day to the receiver sites, which are adequately sized

to accept this amount of oil for transfer to refining center(s). Based on the analyses in the Final SEIR, the policy consistency analysis in Table 6 of the September 8, 2021 Planning Commission Staff Report, and the project design, the Planning Commission recommends that the Board of Supervisors finds that the LFC site, the SMPS receiver site, and the Pentland Terminal receiver site are adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of interim oil tanker trucking.

2. *Adverse impacts will be mitigated to the maximum extent feasible.*

Section 6 of the September 8, 2021 Planning Commission staff report, incorporated herein by reference, discusses the potential impacts that will result from implementation of the Modified Interim Trucking Project and the specific mitigation measures which have been adopted as conditions of approval to mitigate each of these impacts. Impacts that cannot be mitigated to less than significant levels (Class I) are related to the consequences of oil tanker truck spills that could adversely affect water quality, sensitive biological resources, and cultural resources along and near the trucking routes. Conditions of approval have been adopted to mitigate these impacts to the maximum extent feasible as described in CEQA Findings 1.4 and 1.5 above and hereby incorporated by reference.

County zoning ordinance requirements require that all environmental impacts of oil transportation by a mode other than pipeline be mitigated to the maximum extent feasible. In order to comply with this zoning ordinance requirement, additional mitigation measures were added to the Land Use Section of the Final SEIR (SEIR Section 4.4) for all impact categories, not limited to significant impacts. These mitigation measures are included in the Project as conditions of approval (Attachment B of the Planning Commission staff report dated September 8, 2021).

Based on the analyses in the Final SEIR and Final SEIR Revision Letter No. 1, the discussion presented in Section 6 of the September 8, 2021 Planning Commission staff report, CEQA Findings 1.4 and 1.5 above, and as discussed at the Planning Commission September 29 and October 1, 2021 public hearings and incorporated herein by reference, the Planning Commission recommends that the Board of Supervisors finds that, with implementation of the adopted conditions of approval, significant adverse impacts associated with the Modified Interim Trucking Project will be mitigated to the maximum extent feasible.

3. *Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

Construction of the new LFC truck loading rack will generate a low volume, short-term increase in truck and worker vehicle traffic. Normal project operations under the Modified Interim Trucking Project will increase oil tanker truck traffic on local and

regional roadways by up to 78 round trips per day between the LFC and the SMPS, and the LFC and the Pentland Terminal. As discussed in Table 6 of the Planning Commission staff report dated September 8, 2021, and incorporated herein by reference, existing roadways with adequate capacity will be used for these trips. Project trucks directed to the Pentland Terminal are prohibited from using the U.S. 101/State Route 166 intersection during peak hours of 5:30 – 6:30 AM, 7:00 to 9:00 AM and 4:00 to 6:00 PM (Conditions XX-7A and XX-7B) to avoid congestion-related impacts while the SMPS is in operation. Once the SMPS is permanently shutdown, trucks directed to the Pentland Terminal are prohibited from using the U.S. 101/State Route 166 intersection during the peak hours of 5:30 – 6:30 AM, and 4:00 – 5:00 PM (Condition XX-7A).

Based on the Applicant’s traffic analysis, the Final SEIR analysis, and Public Works’ review of the project through the SDRC, no physical improvements to streets and highways are required to accommodate construction or operational traffic associated with the project. Therefore, the Planning Commission recommends that the Board of Supervisors finds that existing streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by construction and operation of the Modified Interim Trucking Project.

4. *There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.*

As discussed in Table 6 of the September 8, 2021 Planning Commission staff report, and incorporated herein by reference, the existing onsite LFC private water wells and septic systems are adequate for the temporary increase in personnel for construction activities and no new additional employees are required for operation of the truck loading facilities. Existing onsite fire protection equipment and practices along with County fire protection services are adequate for the Project. Construction and operation of the Modified Interim Trucking Project will not result in population growth such that the need for public services, including water supply and sewage disposal, and fire and police protection, will increase. No additional public services will be required as a result of construction and operation of the project. Therefore, the Planning Commission recommends that the Board of Supervisors finds that there will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the Modified Interim Trucking Project.

5. *The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.*

Potential public health and safety risks associated with the Modified Interim Trucking Project are discussed in Sections 4.1 and 4.3 of the Final SEIR, incorporated herein by reference, and include health risks associated with toxic air emissions from truck

loading equipment and emissions of diesel particulate matter from truck transportation of crude oil. The Final SEIR Section 4.1 (Impact AQ.5) evaluated the project's Health Risk Assessment and concludes that the project's health risks due to toxic air emissions and diesel particulate emissions will be below the cancer and acute and chronic health risk thresholds adopted by the SBCAPCD Board. Implementation of adopted conditions of approval will ensure the Project will not be detrimental to the comfort, convenience and general welfare of the neighborhood. These measures include vegetation management to improve visibility on Calle Real (Condition XX-6E), restrictions on the use of compression release engine brakes (jake brakes) on Calle Real to reduce noise (Condition XX-6F), limitations on trucking to avoid school bus hours (Condition XX-7C), speed limit restrictions on Calle Real (Condition XX-7D), and crossing guards at the Calle Real/El Capitan State Beach Road intersection on specific weekend days to avoid conflicts with recreational users (Condition XX-6G). Based on the analyses in the Final SEIR and as discussed in Table 6 of the September 8, 2021 Planning Commission staff report and incorporated herein by reference, the Planning Commission recommends that the Board of Supervisors finds that the proposed construction and operation of the project will not be detrimental to the health, safety, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

6. *The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.*

The Modified Interim Trucking Project is in conformance with the County Land Use and Development Code and Coastal Zoning Ordinance, as well as the Comprehensive Plan policies and standards as discussed in Sections 6.9 and 6.10 (Tables 6 – 8) of the Planning Commission staff report dated September 8, 2021 and incorporated herein by reference. The Planning Commission recommends that the Board of Supervisors finds that the Project is in conformance with the applicable requirements of the County's Land Use and Development Code and the Comprehensive Plan.

7. *Within rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.*

The LFC site is located in a scenic, rural area of the Gaviota coast, north of the coastal zone boundary and U.S. Highway 101. The new truck loading rack will be constructed at the existing LFC Transportation Terminal and will not be visible from public viewing points, including along U.S. Highway 101. Construction and operation of the loading rack will not interfere with any scenic public vistas or other adjacent and nearby agricultural or rural land uses or recreational opportunities. The Final SEIR did not identify any land use or aesthetic impacts associated with the project, and project operations will cease after seven years, or until pipeline transport of crude oil from LFC

is available, whichever occurs first. As discussed in Table 6 of the September 8, 2021 Planning Commission staff report and incorporated herein by reference, the project is consistent with Visual Resources Policy 2 of the County's Comprehensive Plan Land Use Element which addresses compatibility with the surrounding natural environment and recreational opportunities. Based on the foregoing, the Planning Commission recommends that the Board of Supervisors finds that the Modified Interim Trucking Project is compatible with and subordinate to the agricultural, rural, and scenic character of the rural area in which it is located.

8. *The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.*

There are no public access easements on or through the LFC site where the truck loading rack will be located. Public access to U.S. Highway 101 and local roadways in the region will not be affected by trucking operations conducted in accordance with adopted conditions of approval. To reduce potential interference with public access to the beach, Condition XX-6G requires the Applicant to station a crossing guard at the Calle Real/El Capitan State Beach Road intersection during weekend daylight hours when project-related trucks are using the El Capitan/US 101 southbound off-ramp. Therefore, the Planning Commission recommends that the Board of Supervisors finds that the Modified Interim Trucking Project will not conflict with any easements required for public access through, or public use of a portion of the subject property, U.S. Highway 101, or coastal recreational opportunities.

2.2. COASTAL ZONING ORDINANCE FINDINGS FOR DEVELOPMENT PLANS

Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:

a. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.

The truck loading rack will be constructed with minimal grading on an existing pad at the LFC Transportation Terminal which is outside of the Coastal Zone. Secondary containment of any potential spills will be fully collected within the existing containment basin designed for the LFC facility. No improvements to the existing roadways within LFC are required for the maximum 24,820 to 25,550 round-trip tanker truck trips per year. The project is designed to deliver approximately 10,800 to 11,200 barrels of oil per day to the receiver sites, which are adequately sized to accept this amount of oil for transfer to refining center(s). Based on the analyses in the Final SEIR and the project design, and the policy consistency analysis (LUDP 4) in Table 6 of the September 8, 2021 Planning Commission Staff Report, incorporated herein by

reference, the Planning Commission recommends that the Board of Supervisors finds that the LFC site, the SMPS receiver site, and the Pentland Terminal receiver site are adequate in terms of location, physical characteristics, shape, and size to accommodate the project.

b. That adverse impacts are mitigated to the maximum extent feasible.

Section 6 of the September 8, 2021 Planning Commission staff report, incorporated herein by reference, discusses the potential impacts that will result from implementation of the Modified Interim Trucking Project and the specific mitigation measures which have been adopted as conditions of approval to mitigate each of these impacts. Impacts that cannot be mitigated to less than significant levels are related to the consequences of oil tanker truck spills that could adversely affect water quality, sensitive biological resources, and cultural resources along and near the trucking routes. These mitigation measures are included in the project as conditions of approval (Attachment B of the Planning Commission staff report dated September 8, 2021).

In addition, although CEQA only requires Class I impacts be mitigated to the maximum extent feasible, County zoning ordinance requirements requires that all environmental impacts of oil transportation by a mode other than pipeline be mitigated to the maximum extent feasible. In order to comply with this zoning ordinance requirement, additional mitigation measures were added to the Land Use Section of the Final SEIR (SEIR Section 4.4) for all impact categories, not limited to significant impacts.

Based on the analyses in the Final SEIR, Final SEIR Revision Letter No. 1, the discussion presented in Section 6 of the September 8, 2021 Planning Commission staff report and as discussed at the September 29 and October 1, 2021 Planning Commission public hearings, and incorporated herein by reference, the Planning Commission recommends that the Board of Supervisors finds that, with implementation of the adopted conditions of approval, significant adverse impacts associated with the Modified Interim Trucking Project will be mitigated to the maximum extent feasible.

c. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Construction of the truck loading rack will generate a low volume, short-term increase in truck and worker vehicle traffic within the LFC. Normal project operations under the Modified Interim Trucking Project will increase oil tanker truck traffic on local and regional roadways, some within the Coastal Zone, by up to 78 round-trips per day between the LFC, SMPS, and Pentland Terminal. While the SMPS is in operation, project trucks directed to the Pentland Terminal due to an extended yet temporary shutdown of the SMPS are prohibited from using the U.S. 101/State Route 166 intersection during peak hours of 5:30 to 6:30 AM, 7:00 to 9:00 AM, and 4:00 to 6:00 PM (Conditions XX-7A and XX-7B) to avoid congestion-related impacts. Once the

SMPS is permanently shutdown, trucks directed to the Pentland Terminal are prohibited from using the U.S. 101/State Route 166 intersection during the peak hours of 5:30 – 6:30 AM, and 4:00 – 5:00 PM (Condition XX-7A). As discussed in Table 6 of the staff report dated September 8, 2021, and incorporated herein by reference, existing roadways with adequate capacity will be used for these trips. Based on the Applicant's traffic analysis, the Final SEIR analysis, and Public Works' review of the project through the SDRC, no physical improvements to streets and highways are required to accommodate construction or operational traffic associated with the project. Therefore, the Planning Commission recommends that the Board of Supervisors finds that existing streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by construction and operation of the Modified Interim Trucking Project.

d. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

As discussed in Table 6 of the September 8, 2021 Planning Commission staff report, and incorporated herein by reference, the existing onsite LFC private water wells and septic systems are adequate for the temporary increase in personnel for construction activities and no new additional employees are required for operation of the truck loading facilities. Existing onsite fire protection equipment and practices along with County fire protection services are adequate for the project. Construction and operation of the project will not result in population growth such that the need for public services, including water supply and sewage disposal, and fire and police protection will increase. No additional public services will be required as a result of construction and operation of the project. Therefore, the Planning Commission recommends that the Board of Supervisors finds that there will be adequate public services, including fire and police protection, water supply and sewage disposal, to serve the Modified Interim Trucking Project.

e. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

Potential public health and safety risks associated with the project are discussed in Sections 4.1 and 4.3 of the Final SEIR, incorporated herein by reference, and include health risks associated with toxic air emissions from truck loading equipment and emissions of diesel particulate matter from truck transportation of crude oil. Final SEIR Section 4.1 (Impact AQ.5) notes that the project Health Risk Assessment concluded that the project's health risks due to toxic air emissions and diesel particulate emissions will be below the cancer and acute and chronic health risk thresholds adopted by the SBCAPCD Board. Implementation of adopted conditions of approval will ensure the project will not be detrimental to the comfort, convenience and general welfare of the

neighborhood. These measures include vegetation management to improve visibility on Calle Real (Condition XX-6E), restrictions on the use of compression release engine brakes (jake brakes) on Calle Real to reduce noise (Condition XX-6F), limitations on trucking to avoid school bus hours (Condition XX-7C), speed limit restrictions on Calle Real (Condition XX-7D), and crossing guards at the Calle Real/El Capitan State Beach Road intersection on certain weekend days to avoid conflicts with recreational users (Condition XX-6G). Based on the analyses in the Final SEIR and as discussed in Table 6 of the September 8, 2021 Planning Commission staff report and incorporated herein by reference, the Planning Commission recommends that the Board of Supervisors finds that the Modified Interim Trucking Project will not be detrimental to the health, safety, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

- f. *That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article II and/or the project falls with the limited exception allowed under Section 35-161.7.***

As discussed in Sections 6.9 and 6.10 of the Planning Commission staff report dated September 8, 2021 and incorporated herein by reference, the project is in conformance with the Comprehensive Plan, applicable Coastal Land Use Plan policies and standards, and applicable provisions of the Article II Coastal Zoning Ordinance and California Coastal Act. Therefore, the Planning Commission recommends that the Board of Supervisors finds that the Modified Interim Trucking Project is in conformance with the Comprehensive Plan, including the Coastal Land Use Plan, and applicable Article II provisions and does not fall within the limited exception for non-conforming industrial uses allowed under Article II Section 35-161.7.

- g. *That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.***

The LFC site is located in a scenic, rural area of the Gaviota coast, north of U.S. Highway 101 and the coastal zone boundary. The truck loading rack will be constructed at the existing LFC Transportation Terminal and will not be visible from public viewing points, including along U.S. Highway 101. Construction and operation of the loading rack will not interfere with any scenic public vistas or other adjacent and nearby agricultural or rural land uses or recreational opportunities. The Final SEIR did not identify any land use or aesthetic impacts associated with the project and project operations will cease after seven years, or until pipeline transport of crude oil from LFC is available, whichever occurs first. As discussed in Table 6 of the September 8, 2021 Planning Commission staff report and incorporated herein by reference, the project is consistent with Visual Resources Policy 2 of the County's Comprehensive Plan Land Use Element which addresses compatibility with the surrounding natural environment

and recreational opportunities. Based on the foregoing, the Planning Commission recommends that the Board of Supervisors finds that the Modified Interim Trucking Project is compatible with and subordinate to the agricultural, rural, and scenic character of the rural area in which it is located.

h. That the project will not conflict with any easements required for public access through, or public use of a portion of the property.

There are no public access easements on or through the LFC site where the truck loading rack will be located. Public access to U.S. Highway 101 and local roadways in the region will not be affected by trucking operations conducted in accordance with adopted conditions of approval. To reduce potential interference with public access to the beach, Condition XX-6G requires the Applicant to station a crossing guard at the Calle Real/El Capitan State Beach Road intersection during weekend daylight hours when project-related trucks are using the El Capitan/US 101 southbound off-ramp. Therefore, the Planning Commission recommends that the Board of Supervisors finds that the Modified Interim Trucking Project will not conflict with any easements required for public access through, or public use of a portion of the subject property, U.S. Highway 101, or coastal recreational opportunities.

2.3. Determination that Pipeline Transportation of SYU Crude Oil is Infeasible

In compliance with LUDC 35.52.060.B.10.b and CZO Section 35-154.5(i), prior to the approval or conditional approval of an application to transport crude oil by a mode other than pipeline, the Board of Supervisors shall first make the finding that use of a pipeline is not feasible by making the following finding:

2.3.1 Land Use Development Code Section 35.52.060.B.10.b

b. Other transportation methods. Transportation by a mode other than pipeline may be allowed only:

(1) For that fraction of the oil that cannot feasibly be transported by pipeline; and

No fraction of SYU production can feasibly be transported by pipeline at this time due to the shut-in of the Plains All American Pipeline system which previously transported all of the SYU production. The Modified Interim Trucking Project limits truck transport of oil to 24,820 to 25,550 truckloads of SYU crude oil per year, equivalent to a production rate of 10,800 to 11,200 BOPD, for up to seven years.

(2) When the environmental impacts of the alternative transportation mode are required to be mitigated to the maximum extent feasible.

The environmental impacts of the Modified Interim Trucking Project will be mitigated to the maximum extent feasible, as discussed above under LUDC Finding 2.1.2 and Coastal Zoning Ordinance Finding 2.2.b and incorporated herein by reference. Mitigation measures that were identified in the Land Use Section of the SEIR have been carried forward as project conditions of approval and are included as Conditions XX-3 through XX-9 of Attachment B of the September 8, 2021 Planning Commission staff report and incorporated herein by reference.

In all cases, the burden of proof as to the infeasibility of transport by pipeline and the need for alternative transportation modes shall be on the shipper.

In its application for the Interim Trucking Project, the shipper, ExxonMobil, has demonstrated the infeasibility of transport by pipeline and the need for the alternative transportation mode of trucking. As discussed in Coastal Zoning Ordinance Finding 2.2.6 below and incorporated herein by reference, ExxonMobil decreased its SYU production to zero in the weeks following the Plains All American Pipeline 901/903 system failure that caused the pipeline to be shut down from May 19, 2015 to the present. On February 3, 2016, the County issued an emergency permit to ExxonMobil to de-inventory its onshore oil storage tanks by trucking that oil to the SMPS and the Pentland Terminal. De-inventory trucking was completed in September 2016 without incident. Plains All American Pipeline has applied for permits to replace its Line 901/903 system; these applications are currently undergoing environmental review, which will be followed by public hearings. Plains estimates a 12- to 18-month construction timeline if the Plains Replacement Pipeline Project is approved. If approved, the Plains Replacement Pipeline Project likely would not be operable for four to seven years. There is no other pipeline currently in place and available to transport ExxonMobil's crude oil from Las Flores Canyon. Therefore, the County Planning Commission finds that pipeline transportation to ExxonMobil's intended refinery destination(s) is infeasible for ExxonMobil at this time. Approval of the Modified Interim Trucking project will allow the ExxonMobil to truck crude oil out of LFC to specific receiver sites until a pipeline is available, and thus no longer infeasible, or for a maximum of seven years from the date of the approval, whichever occurs first.

2.3.2 Coastal Zoning Ordinance Section 35-154.5(i)

- i. Permits for expanding, modifying, or constructing crude oil processing or related facilities shall be conditioned to require that all oil processed by the facility shall be transported from the facility and the County by pipeline as soon as the shipper's oil refining center of choice is served by pipeline.***

Transportation by a mode other than pipeline may be permitted only:

1) Within the limits of the permitted capacity of the alternative mode; and

The proposed permitted capacity of the Modified Interim Trucking Project is 24,820 to 25,550 round-trip oil tanker truck trips per year, for up to seven years, as specified in Condition of Approval XX-1 in Attachment B to the September 8, 2021 Planning Commission staff report. This limit provides for trucking of up to 10,800 to 11,200 BOPD, as specified in Condition XX-1.

2) When the environmental impacts of the alternative transportation mode are required to be mitigated to the maximum extent feasible; and

The environmental impacts of the Modified Interim Trucking Project are required to be mitigated to the maximum extent feasible, as discussed above under Coastal Zoning Ordinance Finding 2.2.b and incorporated herein by reference. Mitigation measures that were identified in the Land Use Section of the SEIR have been carried forward as project conditions of approval and are included as Conditions XX-3 through XX-9 of Attachment B of the September 8, 2021 Planning Commission staff report and incorporated herein by reference.

3) When the shipper has made a commitment to the use of a pipeline when operational to the shipper's refining center of choice; and

The shipper (ExxonMobil) has committed, and is required, to the use of a pipeline when operational as described in Condition of Approval XX-1 and Condition VI-1. The alternative mode of trucking produced crude oil is required to cease after seven years even if a pipeline to the shipper's refining center of choice is not available.

4) When the County has determined use of a pipeline is not feasible by making one of the following findings:

a) A pipeline to the shippers' refining center of choice has inadequate capacity or is unavailable within a reasonable period of time;

The request to implement interim trucking to transport SYU crude oil by tanker truck due to the Plains All American Pipeline 901/903 system being shut-down constitutes a pipeline being unavailable within a reasonable amount of time because of the following:

ExxonMobil is required by its existing SYU/LFC permit (87-DP-32cz) to transport crude oil processed at Las Flores Canyon to refinery destinations by pipeline, and has transported SYU crude oil exclusively via the Plains All American Pipeline 901/903 system since 1993. The Plains All American Pipeline 901/903 was shut down on May 19, 2015 due to a leak and subsequent release of oil and has not operated since that time. In response, between May 21, 2015 and May 25, 2015,

ExxonMobil decreased its offshore oil production from about 27,000 barrels per day (bpd) to 9,000 bpd. On June 4, 2015, ExxonMobil applied to the County for an emergency trucking permit to allow it to continue full offshore production while the Plains All American Lines 901/903 pipeline system remained out of service. However, on June 9, 2015, the County denied ExxonMobil's emergency trucking application citing a lack of evidence of an emergency. ExxonMobil shut-in its offshore wells by June 17, 2015 and subsequently put its offshore and onshore facilities in preservation status. On February 3, 2016, the County issued an emergency permit to ExxonMobil to de-inventory its onshore oil storage tanks by trucking its oil to the SMPS and the Pentland Terminal. De-inventory trucking was completed in September 2016 without incident. Plains All American Pipeline has applied for permits to replace its Line 901/903 system to return the pipeline to service and these applications are currently undergoing environmental review, which will be followed by public hearings anticipated in 2023. Plains estimates a 12- to 18-month construction timeline if the Plains Replacement Pipeline Project (Case No. 17DVP-00000-00010) is approved. If approved, the Plains Replacement Pipeline Project likely will not be operable for four to seven years from now, and there is no other pipeline in place to transport ExxonMobil's crude oil from Las Flores Canyon. Therefore, the Planning Commission recommends that the Board of Supervisors finds that pipeline transportation to ExxonMobil's intended refinery destination(s) is unavailable within a reasonable amount of time. Approval of the Modified Interim Trucking project will allow the applicant to truck crude oil out of LFC to specific receiver sites until a pipeline is available, and thus no longer unavailable, or for a maximum of seven years from the date of the approval, whichever occurs first.

- b) A refinery upset has occurred, which lasts less than two months, precludes the use of a pipeline to that refinery, and requires temporary transportation of oil to an alternative refining center not served by pipeline;***

This finding is not applicable.

- c) The costs of transportation of oil by common carrier pipeline is unreasonable taking into account alternative transportation modes, economic costs, and environmental impacts; or***

This finding is not applicable.

- d) An emergency, which may include a national state of emergency, has precluded use of a pipeline.***

This finding is not applicable.

ATTACHMENT B: 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)

(Modified on September 8, 2021 with 17RVP-00000-00081 Modified Interim Trucking Project)

These conditions of approval have been revised to include specific conditions for the Modified Interim Trucking Project, included as Section XX. Other text has been revised as needed throughout the Conditions of Approval. Text that has been added is shown in underline, and text that has been removed is shown in ~~strikeout~~.

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)

(Modified on September 8, 2021 with 17RVP-00000-00081 Modified Interim Trucking 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, February 19, 2003, and September 8, 2021)**

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 decision-maker 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.~~

Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. *(Added September 8, 2021, Modified Interim Trucking Project.)*

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.)*

These conditions of approval have been revised to include specific conditions for the Modified Interim Trucking Project, included as Section XX. Other text has been revised as needed throughout the Conditions of Approval. Text that has been added is shown in underline, and text that has been removed is shown in ~~strikeout~~. *(Added September 8, 2021; Modified Interim Trucking 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, 85-CP-16cz, 87-DP-32cz, and any amendments or revisions thereto ~~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.) (Added September 8, 2021; Modified Interim Trucking Project.)*

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 and any revisions within 90 days of final County action on this permit. Failure to provide such timely

acceptance will allow the County to cancel the permit. *(Added September 8, 2021: Modified Interim Trucking Project.)*

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, as well as 19EIR-00000-00001 (the SEIR for the Interim Trucking for the SYU Phased Restart Project dated August 2021 and the SEIR Revision Letter No. 1 dated September 8 2021), 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. *(Added September 8, 2021; Modified Interim Trucking Project.)*

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, and the Interim Trucking Project Final SEIR (19EIR-00000-00001) will be substantially mitigated by the permit conditions or other findings appropriate under CEQA are made. Prior to approval of the Final Development Plan and any revisions, 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.)(Added September 8, 2021; Modified Interim Trucking Project.)*

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 and any revisions, 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. *(Added September 8, 2021; Modified Interim Trucking Project.)*

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, reseeding 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 or Modified Interim Trucking 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.) (Modified September 8, 2021, Modified Interim Trucking 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 and/or oil tanker trucks 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.) (Modified September 8, 2021 Modified Interim Trucking Project.)*

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, or by trucking, in a manner consistent with Santa Barbara County Local Coastal Plan Policy 6-8. Transportation by a mode other than pipeline, such as trucking, 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. *(Added September 8, 2021; Modified Interim Trucking Project.)*

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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. (Added September 8, 2021: Modified Interim Trucking Project.)*

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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. (Added September 8, 2021: Modified Interim Trucking Project.)*

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.

*This socioeconomic condition has been satisfied with the construction of the SYU Project.
(Added September 8, 2021: Modified Interim Trucking Project.)*

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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. (Added September 8, 2021: Modified Interim Trucking Project.)*

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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. (Added September 8, 2021: Modified Interim Trucking Project.)*

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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. (Added September 8, 2021: Modified Interim Trucking Project.)*

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 IX-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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. (Added September 8, 2021: Modified Interim Trucking Project.)*

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 \$1,300.00.

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. *This socioeconomic condition has been satisfied with the construction of the SYU Project. See Condition XX-8 for Public Works Department Conditions on the Interim Trucking Project (Added September 8, 2021; Modified Interim Trucking Project.)*

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. *This*

*socioeconomic condition has been satisfied with the construction of the SYU Project.
(Added September 8, 2021: Modified Interim Trucking Project.)*

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 as well as for the Modified Interim Trucking Project. *(Added September 8, 2021; Modified Interim Trucking 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 and the Interim Trucking Project SEIR (19EIR-00000-00001). 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. *(Added September 8, 2021; Modified Interim Trucking Project.)*

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. (Edited September 8, 2021: Modified Interim Trucking Project.)*~~

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 send ~~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/endangered 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.*

XX. MODIFIED INTERIM TRUCKING PROJECT *(Added September 8, 2021: Modified Interim Trucking Project.)*

XX-1. Project Description

The 2021 Development Plan Revision is based upon and limited to compliance with the project description and all additional conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

The project description is as follows: The Modified Interim Trucking Project involves the phased restart of limited offshore oil production at the SYU by initiating interim trucking of crude oil to the SMPS and the Pentland Terminal until a pipeline becomes available to transport SYU crude oil to refinery destinations, or after seven years, whichever is shorter. The Project consists of the construction and operation of a truck loading rack and associated ancillary equipment within the LFC facilities, and trucking of the crude oil to the Phillips 66 Santa Maria Pump Station (SMPS) on East Battles Road in northern Santa Barbara County, and to the Plains Pentland Terminal on Basic School Road in southwestern Kern County. Up to 78 trucks per day would travel from the LFC facility to the SMPS and/or Pentland Terminal (156 one-way trips); however truck trips would stay under the annual maximum of 24,820 trucks to the Pentland Terminal, and 25,550 trucks to the SMPS per year. While the SMPS is in operation, all trucks would be required to travel to the SMPS only. In the event of an extended, yet temporary shutdown of the SMPS (10 consecutive days or more), ExxonMobil would be allowed to transport crude oil to the

Plains Pentland Terminal in Kern County with a maximum of 34 trucks per day. Following the permanent closure of the SMPS, all trucks would travel to the Pentland Terminal.

LFC Truck Loading Improvements. Construction of the truck loading facilities will include site preparation, installation of pipe racks and associated piping, installation of a truck loading rack and operator shelter, and electrical/instrumentation installation. A fire protection system using fire monitors will also be installed and connected to the existing LFC facility fire protection system. All truck loading improvements will be located within the confines of the LFC facility. The truck loading facilities will be located in the Truck Loading Area (TLA) of the LFC, north of the Transportation Terminal (TT). The TLA is approximately 2.91 acres; the truck loading rack and associated lanes will occupy about 0.12-acre of that area. Modifications to the LFC facilities will include the following:

- A new truck loading rack with four loading bays to be built at an existing previously disturbed pad.
- New piping to transport crude oil to the truck loading rack and to transport truck vapors back into the LFC vapor recovery system for processing and use as fuel.
- Four Lease Automatic Custody Transfer (LACT) units installed at the TLA.
- Associated electrical and communication connections, pipe and equipment supports, operator shelter, paving of selected areas, and minor containment and drainage grading.

The new piping will be routed along pipe supports through an existing containment area. Vapor recovery piping will be connected into the existing LFC vapor recovery system at the TT Vapor Recovery Compressors. Vapors from the TT vapor recovery compressors will be routed to the Oil Treatment Plant (OTP) vapor recovery compressors for processing at the stripping gas treatment plant before being subsequently used as fuel gas within the facility. The truck rack will be constructed over loading lanes within the TLA. The loading racks will be equipped with crude loading and vapor recovery hoses that will be connected to the trucks. The truck rack will be capable of loading up to four trucks at a time. The loading racks will be equipped with low leak transfer hose connections and valves and will use welded connections where feasible. Vapors from the truck loading operations will be collected and routed to the existing TT vapor recovery compressors and then routed to the existing OTP vapor recovery system. All fugitive components associated with the new truck loading facility will be added to the existing LFC leak detection and maintenance program. An estimated 500 cubic yards of grading will be needed to construct pipe supports, containment, and fire protections system alterations and about 0.41-acre of the pad will be paved. No habitat or vegetation will be removed and no significant alterations of topography will occur. Lights will be attached to the rack and powered from the existing LFC electrical system and a small, temporary operator shelter will be installed at the TLA.

Truck Loading Operations. Truck loading at the LFC facility will occur within the TLA at a previously disturbed area immediately north of existing crude oil storage tanks. Each

loading station will include a LACT unit for custody transfer. Loading connections will be of the dry-lock type to eliminate potential leaks and emission points. Each LACT unit will incorporate grounding and overfill protection to stop the loading process in the case of an electrical fault, or high levels in the tanker trucks being loaded. During loading, the TLA will have the following safety measures in place to reduce or eliminate the potential for spills and fires:

- The TLA will be graded to drain into the already existing containment channel for the crude oil storage tanks that connect to the emergency containment basin.
- Additional berms and containment barriers will be installed around the loading location as needed.
- Spill containment and absorption materials will be stored onsite.
- A drip container will be placed under truck product hose connections to capture any leakage when hoses are connected and disconnected.
- Firefighting equipment including a fire monitor (converted from a hydrant) will be installed and operational at the TLA.
- An Applicant operator will conduct safety and operability inspection of each truck prior to loading to verify that the residuals in the truck from the prior load are compatible with crude oil or the truck is dedicated to compatible service.
- An Applicant operator and the truck driver will be present during truck loading.
- Fill volumes will be pre-set with automatic shut-ins when reaching the fill volume.
- Truck overfill protection, including instrumented communication from truck level to the LACT unit will be in place to stop filling if tank levels exceed the predetermined fill volumes.
- Ground protection on truck with continued monitoring from LACT skid unit.
- Truck drivers and loading operators will be trained on the specific loading procedures.
- An Applicant operator will have access to the valve shut off for the loading line.
- Truck wheels will be chocked prior to loading.

Empty trucks will arrive at the LFC and proceed to one of the four loading stations at the TLA. Once the trucks are at the proper loading location, the truck wheels will be chocked and grounded. The truck will be inspected for safety by the Applicant's operator prior to loading. Once the loading hose and vapor recovery hose are connected to the truck, the Applicant's operator will open the vapor recovery system valve, activate the LACT units,

and then open the oil line valve to begin loading the crude into the truck. Existing onsite pumps will be utilized for loading the trucks. Truck trailers and connections will be inspected prior to, during, and after each loading to verify proper operation. Vapors displaced during truck loading operations will be collected and routed to the TT Vapor Recovery Compressors and then into the OTP Vapor Recovery Compressors. During loading, both the operator and the truck driver will be present at all times and the product level in the truck will be continuously monitored via gauge. Once the truck has been determined to be fully loaded, the oil and vapor recovery line valves will be closed, the hoses will be disconnected, and the truck will depart from the TLA and leave the LFC facility to proceed to the SMPS.

Receiving Facilities and Truck Routes. The Applicant will contract with third-party trucking companies for transport of the crude oil. While the SMPS is in operation, the crude oil will be trucked to the SMPS only. Trucks will travel from the LFC facility to the SMPS, making a maximum of 78 round trips per day. The total number of crude oil transport trucks leaving the LFC facility per year will be limited to no more than 25,550 trucks. In the event of an extended, yet temporary shutdown at the SMPS (defined as 10 consecutive days or more), a maximum of 34 trucks per day of crude oil could be trucked to the Pentland Terminal in Kern County during the SMPS disruption. Once the SMPS is permanently shutdown, trucks will travel to the Pentland Terminal, making a maximum of 78 round trips per day, but limited to no more than 24,820 truck trips annually. The trucks used for carrying the crude oil will be year 2017 or newer, diesel-driven DOT 407 tankers. Truck transportation will occur seven days per week, 24-hours per day, with no more than 78 truckloads leaving the LFC facility within a 24-hour period. Production from the SYU facilities during trucking operations will be up to 11,200 barrels of oil per day. Trucks will unload at one of the five SMPS unloading areas, and/or at the Pentland Terminal. When unloading is complete, the hoses will be disconnected and the truck will move to the existing exit truck scale to be weighed, and then leave the facility.

All trucks entering and leaving the LFC facility will use the Refugio Road on and off-ramps at U.S. Highway 101 from Calle Real. Truck drivers shall be prohibited from using compression release engine brakes (jake breaks) at all times while traveling on Calle Real. During the periods where the Caltrans Refugio Bridge Replacement Project is affecting the Refugio Road on- and off-ramps, trucks will use the U.S. Highway 101 southbound El Capitan Road off-ramp. The trucks will then use Calle Real from El Capitan Road to the LFC facility. Trucks traveling to the SMPS will exit U.S. Highway 101 at the Betteravia Road interchange in Santa Maria, and then use Betteravia Road and Rosemary Road, to Battles Road. Trucks traveling to the Pentland Terminal will exit U.S. Highway 101 at the State Route 166 interchange and use State Route 166 to Basic School Road. After unloading at one of the two designated receiving facilities, the trucks will return directly back to the LFC facility to reload unless they need to undergo maintenance or driver changes.

Applicant-proposed Avoidance and Minimization Measures. The Applicant-proposed Avoidance and Minimization Measures (AMMs) for hazards and risk of upset include the following:

A Crude Oil Transportation Risk Management and Prevention Program (CO-TRMPP). The CO-TRMPP will apply to all highway shipments of crude oil from the LFC facility to the receiving location(s) and will include:

- **Contractor Selection and Driver Training** – Truck carriers will be required to complete a Crude Oil – Motor Carrier Safety Survey prior to starting shipments from LFC to assure proper contractor selection and all drivers will be required to have proper DOT training for transporting hazardous materials.
- **Truck Speed Limiters** – Trucks will be equipped with speed monitor and limiting systems.
- **Loading/Unloading Procedures and Overfill Protection** – truck drivers will follow LFC operational procedures during the truck loading that include over filling and grounding protections.
- **Modern Truck Fleet with LFC Operations Personnel Inspection prior to and after Loading** – All trucks will be model year 2017 or newer and LFC operations personnel will verify that each carrier meets or exceeds the required DOT safety standards. LFC operations personnel will conduct a safety and operability inspection of each truck prior to loading and prior to departing from LFC. Any truck that receives an unsatisfactory inspection will no longer be permitted to transport crude until the issue has been corrected.

Rainy Day Limitation. Trucking operations will be prohibited during periods of heavy rain. For days when the National Weather Service predicts a 50% chance of receiving ½-inch of rain or more in a 24-hour period in the areas along the truck routes, no trucking shall occur unless the rain event does not materialize. Trucking shall stop four hours prior to the projected start of the rain event for trucks going to SMPS and six hours prior to the rain event for trucks going to the Pentland Terminal. When at least ½-inch of rain is forecasted and trucking cannot occur, produced crude oil will be stored in an existing crude oil storage tank. Trucks would not be able to resume trucking until the rain event ends, and no rain is forecasted for an additional 24 hours along the trucking routes.

Abandonment. Once a pipeline alternative is available to transport product to market, or after seven years, whichever is shorter, interim trucking will cease and the installed piping and components at the LFC facility will be placed out of service and isolated from the crude and vapor transport lines. The maximum life of the project shall be seven years, unless extended by County decision-makers. The facilities will remain in place and will be abandoned at the end of the life of the original SYU Project.

Truck Trip Reporting. ExxonMobil shall provide trucking data, including the total number of trucks per day to each trucking destination, to the SSRRC for review as part of the project's EQAP on a monthly basis. Trucking data shall be provided to the SSRRC prior to each monthly SSRRC meeting. P&D compliance monitoring staff will maintain data on file, and shall verify that truck trips will not exceed daily and annual maximums.

The County has found that transport of crude oil from Las Flores Canyon via tanker truck in compliance with the description and conditions of the approved Modified Interim Trucking Project is consistent with Policy 6-8 and Coastal Zoning Ordinance Section 35-154.5(i). Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

XX-2. Project Conformity

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

XX-3. Air Quality

XX-3A. Trucking Emissions Management Plan

ExxonMobil shall provide a Trucking Emissions Management Plan to P&D and the APCD to ensure that NO_x emissions do not exceed the Santa Barbara County CEQA daily thresholds during trucking operations to the Pentland Station after the SMPS is shutdown, and further to ensure that all construction and operational emissions of NO_x, ROC, SO_x, and PM₁₀ are offset to zero for the life of the project.

Plan Requirements: The Plan shall be coordinated with and approved by P&D in consultation with the APCD, and shall give priority of onsite mitigation measures over offsite mitigation programs or the use of Emission Reduction Credits (ERCs), and shall cover the life of the project. The Plan shall demonstrate how the project meets the following performance standards and criteria: a) fleet specifications, b) operational requirements, c) reporting requirements, and d) the air quality emission calculations to document that tanker truck emissions shall meet the 25 pounds per day Santa Barbara County CEQA threshold for NO_x for the entire route. The Plan shall demonstrate compliance with at least one of the following specific performance criteria: 1) the use of only trucks to haul crude oil powered by CNG engines with a certified NO_x emission

factor at least 50 percent less than the 2017 diesel model year trucks; 2) Provide a specific mix of CNG vehicles and 2017 model year truck trips destinations to meet the thresholds; 3) Provide emission offsets or other similar method that has been validated by the APCD in an amount equal to that needed to ensure that total emissions are below the thresholds; or 4) Other County and APCD approved equivalent technologies or measures. The Plan shall include engine exhaust performance standards data to support the air quality calculations and shall include the requirement for monthly activity logs to the County (i.e., daily number of trucks, daily miles traveled and truck destinations).

Timing: ExxonMobil shall provide a Trucking Emissions Management Plan to be approved by P&D in consultation with the APCD prior to the issuance of Zoning Clearance.

Monitoring: P&D compliance monitoring staff will maintain the approved plan on file, review the activity logs and monitor for compliance during operational activities in consultation with the APCD. (*SEIR AO-1, LU-3, and LU-4*).

XX-4. Climate Change/Greenhouse Gas Emissions

XX-4A. GHG Reduction and Reporting Plan

ExxonMobil shall reduce or offset annual incremental GHG emissions from Project-related sources at a one-to-one (1:1) ratio. The incremental GHG emissions are those GHG emissions resulting from Project construction, operations, and related sources. These incremental emissions are estimated to be less than or equal to 9,831 MTCO₂e for the first year, and 9,291 MTCO₂e for subsequent years, assuming worst-case simultaneous construction and operation activities.

For CEQA-related impacts, Project-related GHG emissions shall be reduced or offset at a 1:1 ratio, minus the County's threshold of 1,000 MTCO₂e for each applicable year. Further, all Project-related GHG emissions shall be reduced or offset to zero at the same 1:1 ratio to reduce impacts to the maximum extent feasible.

ExxonMobil shall prepare and implement a GHG Reduction and Reporting Plan that describes how annual GHG emissions could be reduced or offset for the entire life of the project, and shall provide the plan to Planning and Development and the APCD for approval prior to Zoning Clearance.

Plan Requirements: The Plan shall include provisions for, and the outline of an annual report to the County that summarizes the emission reduction measures implemented, quantifies the Project-related estimated GHG emissions for the year, and demonstrates the quantity of credits surrendered. Each annual report shall reconcile the actual emissions of the previous year with the mitigation quantity, in terms of MTCO₂e. The standard of performance for this mitigation is a reduction or offset of greenhouse gas emissions from project-related sources at a one-to-one (1:1) ratio.

Onsite GHG reductions shall be exhausted to the extent feasible prior to surrendering credits or offsets from offsite projects. If credits are derived from offsite mitigation, preference should be given to those generated in Santa Barbara County. Implementing the required amount of any of the following types of emission reductions shall be an acceptable means of mitigation:

- GHG reductions generated within the County by implementing a GHG reduction project consistent with any methodology approved by either the Santa Barbara County Board of Supervisors or the Santa Barbara County APCD for the purpose of providing CEQA mitigation and additional mitigation for reducing impacts to the maximum extent feasible.
- GHG reductions represented by registry offset credits listed with and verified by a CARB approved Offset Project Registry pursuant to Section 95980.1 of Title 17, Public Health Code (17 CCR 95980.1).
- GHG reductions represented by registry offset credits listed with and verified by: American Carbon Registry (ACR); Climate Action Reserve (CAR); or Verified Carbon Standard (VCS).
- GHG reductions created as a result of complying with Cap-and-Trade Program requirements related to stationary source emissions, as evidenced by the Permittee making auction purchases of State-owned Cap and-Trade Program Allowances or CARB offset credits issued pursuant to Section 95981.1 of Title 17, Public Health Code (17 CCR 95981.1). Note that reductions to any onsite GHG reductions (such as reduced use of combustion equipment) will go towards reducing the stationary source's Cap and Trade obligation, and therefore are not applicable to mobile source GHG reduction credit.

Freely allocated allowances held by ExxonMobil and allowances purchased by ExxonMobil from entities other than the State of California shall not be used as mitigation under this measure because they are tradable compliance instruments for the Cap-and-Trade Program.

If ExxonMobil has made auction purchases of State-owned Cap-and-Trade Program allowances to comply with Cap-and-Trade Program requirements and it has transferred funds to the State (e.g., for deposit into the Greenhouse Gas Reduction Fund [GGRF] for statewide GHG reductions), the levels of GHG offsets needed for mitigation under this measure may be reduced by the quantity of previously State-owned allowances purchased by ExxonMobil. ExxonMobil's demonstration of making auction purchases to fund acceptable mitigation shall occur in the GHG Reduction and Reporting Plan annual report after the applicable Cap-and-Trade compliance period, and the demonstration may rely on publicly available reports.

General criteria for acceptable credits include:

- Real: emission reduction must have actually occurred, as the result of a project yielding quantifiable and verifiable reductions or removals.

- Additional or Surplus: an emission reduction cannot be required by a law, rule, or other requirement.
- Quantifiable: reductions must be quantifiable through tools or tests that are reliable, based on applicable methodologies, and recorded with adequate documentation.
- Verifiable: The action taken to produce credits can be audited and there is sufficient evidence to show that the reduction occurred and was quantified correctly.
- Enforceable: An enforcement mechanism must exist to ensure that the reduction project is implemented correctly.
- Permanent: Emission reductions or removals must continue to occur for the expected life of the reduction requirement.

The GHG reductions achieved, credits surrendered, or any GHG offset project sponsored by ExxonMobil, must be supported by a demonstration to Planning and Development that the GHG reduction is real, additional, quantifiable, permanent, verifiable, and enforceable.

Offsets shall be submitted to P&D in consultation with the APCD by November 1, prior to the year they occur, and shall be equal to the total the Applicant expects to emit for the upcoming calendar year. By April 15 the year following, the Applicant shall show the accounting of the amount actually emitted for the previous calendar year, and shall either provide additional offsets to balance any difference, or obtain a credit for the current year.

Timing: The GHG Reduction and Reporting Plan shall be reviewed and approved by P&D in consultation with the APCD, prior to issuance of the Zoning Clearance. Offsets shall be submitted by November 1, prior to the year they occur. The necessary annual quantity of verified credits under this plan shall be surrendered prior to April 15 of each calendar year following the year of initiating construction.

Monitoring: P&D, in consultation with the APCD, will review and approve the GHG Reduction and Reporting Plan and any proposed GHG reduction credits prior to their use as mitigation. Annual reporting of GHG emissions and reduction/offset measures implemented will be reviewed and approved by P&D in consultation with the APCD in accordance with the Plan. (SEIR GHG-1, LU-3, and LU-4).

XX-5. Hazardous Materials and Risk of Upset

XX-5A. Truck Hazard Mitigation Plan

ExxonMobil shall prepare and submit a Truck Hazard Mitigation Plan to Planning and Development. The Plan shall address the various aspects of truck operation safety with the goal of minimizing the potential for an accident or release to occur. The Plan shall include the following:

1. Drivers shall have a minimum of two years of commercial driver experience for hazardous materials, plus completion of a training course in defensive driving, emergency response, and other driving skills.
2. Drivers shall be trained on Project-specific requirements, including loading and transportation procedures, local traffic concerns and hazards, driver safety, and driver courtesy.
3. Drivers shall be trained to use dedicated routes.
4. All trucks shall be linked to an integrated fleet geographical information management system that provides real-time satellite tracking and mapping of locations, speeds, and other parameters.
5. The geographical information system shall be used to set and measure compliance to speed limits, acceleration, and de-acceleration for trucks in a specific area and/ or at a specific time of day.
6. All tanker trucks shall be equipped with dual-sided dashboard video cameras.
7. All tanker trucks shall be equipped with Roll Stability Control (RSC) systems.
8. The fleet shall operate an Electronic Driver Vehicle Inspection Report system, integrated with its maintenance system.
9. Truck carriers shall be required to complete a Crude Oil - Motor Carrier Safety Survey prior to starting shipments from LFC to assure proper contractor selection.
10. Crude oil trucks shall be equipped with speed monitor and limiting systems.
11. LFC Operators shall have an approved procedure for the trucks to follow during the truck loading that includes over filling and grounding protections.
12. All crude oil trucks shall be model year 2017 or newer.
13. LFC operations personnel shall conduct a safety and operability inspection that follows, at a minimum State and Federal truck standards of each crude oil truck prior to loading and prior to departing from LFC. Any crude oil truck that receives an unsatisfactory inspection shall no longer be permitted to transport crude from LFC until the issue has been corrected.

Timing: Prior to the issuance of Zoning Clearance, ExxonMobil shall prepare and submit for P&D approval, a Truck Hazard Mitigation Plan to Planning and Development. In addition, incident and annual reporting procedures shall be included. This Truck Hazard Mitigation Plan can be included as part of the Crude Oil-Transportation Risk Management and Prevention Plan (CO-TRMPP).

Monitoring: P&D shall verify implementation of the approved Truck Hazard Mitigation Plan through review of incident and annual reports, and site inspection as needed throughout Project operations. (*RISK-1*).

XX-5B. Updated SYU Emergency Plans

Plan Requirements: ExxonMobil shall submit updated SYU Emergency Plans to Planning and Development. The following existing plans shall be updated to include the trucking operations that would occur at the LFC facility.

- a. **LFC Spill Prevention Control and Countermeasure Plan (SPCC)** – Section 2.6 of the SPCC Plan shall be updated to cover the truck loading rack. The section shall include a description of the rack and loading operations, and the measures in place to avoid releases of oil from the CO-TRMPP (Condition XX-1), and the Truck Hazard Mitigation Plan (Condition XX-5A).
- b. **LFC Emergency Response Plan (ERP)** - The ERP shall be updated to include the truck loading operations with the LFC facility. This shall include a discussion of the actions to be taken in the event of an oil spill from the loading operations, and trucks traveling within the LFC facility from the CO-TRMPP (Condition XX-1) and the Truck Hazard Mitigation Plan (Condition XX-5A), including reference to other emergency plans.
- c. **SYU Facility Response Plan (FRP)** – The FRP shall be updated to include the truck loading operations with the LFC facility. This shall include a discussion of the actions to be taken in the event of an oil spill from the loading operations, and trucks traveling within the LFC facility from the CO-TRMPP (Condition XX-1) and the Truck Hazard Mitigation Plan (Condition XX-5A), including reference to other emergency plans.

The requirements of the approved Emergency Plans shall be implemented by ExxonMobil as necessary in the event of a spill within the LFC facility. ExxonMobil shall report its implementation of emergency measures to Planning and Development consistent with the Santa Barbara County’s Emergency Notification Guidance Matrix, which is part of the approved LFC Emergency Response Plan.

Timing: Plans shall be submitted to P&D, and this requirement shall be met prior to the issuance of Zoning Clearance for the Modified Interim Trucking Project.

Monitoring: P&D shall conduct onsite inspection(s) to verify and document implementation of emergency action measures. (*SEIR RISK-2*).

XX-5C. Trucking Company Financial Responsibility

Prior to use of a trucking company for the Modified Interim Trucking Project, ExxonMobil shall ensure that the trucking company has demonstrated financial responsibility to cover the cost of an oil spill cleanup in the amount of at least \$5,000,000.

Plan Requirements and Timing: ExxonMobil shall provide evidence of financial responsibility from the trucking companies to Planning and Development prior to using a trucking company to haul SYU crude from the LFC facility. ExxonMobil may use any of the methods identified in CCR Title 14, Division 1, Subdivision 4, Chapter 2, § 795 (Evidence of Financial Responsibility) to demonstrate financial responsibility. ExxonMobil shall ensure that the financial responsibility is maintained by the trucking company for the duration of the trucking contract.

Monitoring: P&D shall review and approve the evidence of financial responsibility on an annual basis for all trucking companies under contract with ExxonMobil to transport crude oil. (SEIR RISK-3).

XX-5D. Trucking Route Oil Spill Contingency Plan

ExxonMobil shall assure that each trucking company used to haul SYU crude from the LFC facility has an Oil Spill Contingency Plan that covers the trucking routes. The Oil Spill Contingency Plans shall contain at a minimum the following.

- a. **Spill Notification Procedures** – A list of immediate contacts and phone numbers to call in the event of a threat of or actual spill of oil. This list shall include a designated qualified individual with the trucking company, the California Highway Patrol, the local fire department, California Governor’s Office of Emergency Services, State Warning Center, the National Response Center, the spill response organizations listed in the contingency plan, the shipper of the oil, Santa Barbara County Planning and Development, and any other care or treatment organizations listed in the contingency plan. The notification procedures shall contain a checklist of the information that shall be reported to the various parties.
- b. **Spill Protection Measures** – The contingency plan shall describe measures that reduce or mitigate the potential for truck accidents. Such description may include, but is not limited to the following: (1) Schedules, methods and procedures for testing, maintaining and inspecting the trucks; and (2) items that are included in the design and operation of the trucks that serve to reduce the potential for an accident. At a minimum this would include the measures identified in the Truck Hazard Mitigation Plan.
- c. **Resources at Risk** – The contingency plan shall contain the following information for the specific truck routes.
 - i. Habitat and shoreline types, as identified in Table 1 and in Appendix C of the National Oceanic and Atmospheric Administration Shoreline

Assessment Manual (Aug. 2013), or as identified in the American Petroleum Institute's Options for Minimizing Environmental Impacts of Inland Spill Response (Oct. 2016).

- ii. A summary of potential state or federally-listed rare, fully protected, or threatened or endangered species, or state species of special concern, which includes aquatic and terrestrial animal, fish, and plant resources.
- iii. A summary of aquatic resources including state fish, amphibians, invertebrates, and plants including important spawning, migratory, nursery and foraging areas.
- iv. A summary of potential terrestrial animal and plant resources.
- v. A summary of potential migratory and resident bird and mammal, including relevant migration routes, breeding, stopover, nursery, haul-out, and population concentration areas by season.
- vi. Identify the following, and include appropriate contacts, as applicable to emergency response: (i) commercial and recreational fisheries areas, aquaculture sites, public beaches, parks, marinas, boat ramps, and recreational use areas; (ii) Industrial, irrigation, and drinking water intakes, dams, power plants, salt pond intakes, and important underwater structures; and (iii) Known historical and archaeological sites, and areas of cultural or economic significance to Native Americans.

The contingency plan may rely on and cite applicable State Area Contingency Plans, Geographic Response Plans, Santa Barbara County Operational Area Oil Spill Contingency Plan, and other sources to identify the information required by items (i) through (vi) above.

- d. **Response Resources** – The contingency plan shall provide the following:
 - i. A list of rated oil spill response organizations that are under contract. A rated oil spill response organization is one who has been certified by the California Department of Fish and Wildlife-Office of Spill Prevention and Response pursuant to CCR Title 14, Division 1, Subdivision 4, Chapter 3, Subchapter 3.5 § 819. (Oil Spill Response Organization Ratings). Oil spill response organizations under contract shall include ones for near shore marine, on-waters, and terrestrial services.
 - ii. A list of properly trained Native American Monitors who are qualified to monitor oil spill cleanup activities.
- e. **Training** – The contingency plan shall document that trucking company personnel employed by the plan holder receive annual training applicable to their role in a spill including but not limited to:
 - i. Incident command system, including command or general staff position-specific training;

- ii. Oil spill emergency response training as required by state and federal health and safety laws for trucking company personnel likely to be engaged in oil spill response. The level of training shall be commensurate with the level of engagement for each of the trucking company personnel that would be involved in the oil spill response; and
 - iii. Training records shall be maintained for three years from the date of the training.
- f. **Exercises** – The plan holder shall conduct an annual tabletop exercise that covers the following:
- i. Notifications: Make actual notifications about the spill scenario to the oil spill response organization, qualified individual, and spill management team listed in the contingency plan, and to the California Office of Emergency Services and the National Response Center.
 - ii. Staff Mobilization: Assemble the trucking company spill management team and other personnel identified in the contingency plan as appropriate for the training and discuss the approach to spill response along with required roles and responsibilities.

Plan Requirements and Timing: The trucking route contingency plans shall be submitted to P&D and Santa Barbara County Fire for review and approval prior to commencing of a trucking company operation to haul SYU crude from the LFC facility. The requirements of the approved contingency plans shall be implemented by the plan holder in the event of a spill along the trucking routes.

Monitoring: P&D and Santa Barbara County Fire shall be invited in the annual tabletop drills and in the event of a spill, onsite inspection(s) to verify and document implementation of emergency action measures. P&D shall be provided evidence that all trainings have occurred. (SEIR RISK-4).

XX-5E. Oil Spill Response Trailer

ExxonMobil shall provide funds up to \$25,000 for the purchase of an oil spill trailer to the Santa Barbara County Fire Department. The oil spill trailer shall be located at one of the County Fire Stations in Santa Maria. The County Fire Department shall provide ExxonMobil with a cost breakdown of the oil spill response trailer. ExxonMobil's funding shall be limited to a maximum of \$25,000. If the actual cost of the oil spill trailer is more than \$25,000, the Fire Department shall submit a detailed cost estimate to P&D, and the Applicant shall pay the full amount.

Plan Requirements and Timing: Santa Barbara County Fire shall provide the Applicant with a cost breakdown of the oil spill response trailer and the Applicant shall provide the required funding to Santa Barbara County Fire. The oil spill response trailer shall be stationed at one of the County Fire Stations in Santa Maria prior to any oil being hauled via truck from the LFC facility.

Monitoring: P&D shall verify that the oil spill response trailer is stationed at one of the County Fire Stations in Santa Maria. *(SEIR RISK-5)*

XX-5F. Unmanned Aerial Vehicle

ExxonMobil shall provide funds up to \$8,000 for the purchase of an unmanned aerial vehicle (UAV) to the Santa Barbara County Fire Department. ExxonMobil's funding shall be limited to a maximum of \$8,000. If the actual cost of the UAV is more than \$8,000, the Fire Department shall submit a detailed cost estimate to P&D, and the Applicant shall pay the full amount.

Plan Requirements and Timing: Santa Barbara County Fire shall provide ExxonMobil with a cost quote for the UAV and ExxonMobil shall provide the required funding to Santa Barbara County Fire. The UAV shall be purchased by the Santa Barbara County Fire Department prior to any oil being hauled via truck from the LFC facility.

Monitoring: P&D shall verify that Santa Barbara County Fire has purchased the UAV. *(SEIR RISK-6)*.

XX-6. Land Use and Policy Consistency

XX-6A. Fugitive Emissions – Truck Loading Rack P&IDs

Welded piping connections shall be used for the truck loading facilities to the maximum extent feasible. Where welded connections cannot be used, low leak connections shall be used. All valves shall be low leak design. All pumps shall be equipped with dual seals. All truck loading rack components shall be included in the existing LFC Leak Detection and Repair (LDAR) at an APCD Category G level.

Plan Requirements and Timing: Prior to issuance of the Zoning Clearance, ExxonMobil shall provide truck loading rack P&IDs to P&D for routing to the SSRRC for review and approval. These drawings shall specify the types of connections and design specifications for the valve and pumps.

Monitoring: P&D compliance monitoring staff will maintain the approved drawings on file and review the as-built facilities. SSRRC shall verify that all piping connections have been constructed as approved prior to operations. *(SEIR LU-1)*.

XX-6B. Vapor Recovery System

The vapor recovery system for the truck loading rack shall be connected to the existing Transportation Terminal (TT) vapor recovery compressor system. Fuel gas from the existing LFC facilities shall be injected into the truck loading rack vapor recovery system to minimize oxygen content.

Plan Requirements and Timing: ExxonMobil shall provide truck loading rack P&IDs to P&D for review and approval prior to issuance of the Zoning Clearance.

Monitoring: P&D compliance monitoring staff will maintain the approved drawings on file and review the as-built facilities. SSRRC shall verify that the vapor recovery system has been constructed as approved prior to operations. (SEIR LU-2).

XX-6C. Construction Emissions

ExxonMobil shall provide emission offsets, or other similar methods to P&D and the APCD in an amount equal to that needed to ensure that total construction emissions from loading rack activities of NO_x, ROC, SO_x, PM₁₀, and GHGs are offset to zero for the life of the project.

Plan Requirements: This requirement shall be included in the Truck Emissions Management Plan for NO_x, ROC, SO_x, and PM₁₀ (Condition XX-3A), and in the GHG Reduction and Reporting Plan for GHGs (Condition XX-4A). ExxonMobil shall provide the required plans, offsets and/or certifications to P&D and the APCD.

Timing: The Applicant shall provide P&D and APCD with the Plans for review and approval prior to issuance of the Zoning Clearance.

Monitoring: P&D compliance monitoring staff shall maintain the approved plans on file, review the activity logs and monitor for compliance during construction activities in consultation with the APCD. (SEIR LU-3).

XX-6D. Operational Emissions

ExxonMobil shall provide emission offsets or other similar methods to P&D and the APCD in an amount equal to that needed to ensure that total operational emissions from loading rack activities and trucking activities of NO_x, ROC, SO_x, PM₁₀, and GHGs are offset to zero for the life of the project.

Plan Requirements: This requirement shall be included in the Truck Emissions Management Plan for NO_x, ROC, SO_x, and PM₁₀ (Condition XX-3A), and in the GHG Reduction and Reporting Plan for GHGs (Condition XX-4A). ExxonMobil shall provide the required plans, offsets and/or certifications to P&D and the APCD.

Timing: The Applicant shall provide P&D and APCD with the Plans for review and approval prior to issuance of the Zoning Clearance.

Monitoring: P&D compliance monitoring staff will maintain the approved plans on file, review the activity logs and monitor for compliance during operational activities in consultation with the APCD. (SEIR LU-4).

XX-6E. Improved Visibility for Calle Real

ExxonMobil shall work with P&D and the County of Santa Barbara Public Works Department in determining what vegetation should be trimmed along the truck route at Calle Real to improve visibility and maximize truck operational safety. Visibility shall be at least 265 feet along Calle Real, based off the minimum view distance just west of Venadito Canyon Road as determined by a terrain analysis. At a minimum, regular maintenance/trimming of the oak tree located just east of Venadito Canyon Road on the north side of Calle Real shall be included in the plan.

Plan Requirements and Timing: Prior to issuance of Zoning Clearance, ExxonMobil shall provide a Vegetation Trimming Plan for the truck route along Calle Real. The plan shall be updated in conjunction with P&D and the Public Works Department on an annual basis for as long as trucking is occurring.

Monitoring: P&D compliance monitoring staff will maintain the approved plan on file, and inspect the vegetation trimming work once complete. (SEIR LU-5).

XX-6F. Jake Brakes

Trucks shall be prohibited from using their jake brakes (i.e., compression release engine brakes on most trucks), while traveling on Calle Real or within LFC except in emergency situations.

Monitoring: P&D compliance monitoring staff shall monitor compliance through review of trucking activities for the life of the trucking project. (SEIR LU-7).

XX-6G. Crossing Guards

During periods when the El Capitan U.S. Highway 101 Southbound offramp is utilized, and between 8 AM and 7 PM Friday through Sunday, ExxonMobil shall have a crossing guard stationed at the Calle Real/El Capitan State Beach Road.

Monitoring: P&D compliance monitoring staff will monitor compliance through periodic site visits to the intersection during periods when the trucks are using the El Capitan U.S. Highway 101 Southbound offramp. (SEIR LU-8).

XX-7. Transportation and Circulation

XX-7A. Truck Trip Restriction – Highway 101/State Route 166

Truck trips shall not pass through the U.S. Highway 101 Northbound Ramp/State Route 166 intersection during the 5:30-6:30 AM peak hour or the U.S. Highway 101 Southbound Ramp/State Route 166 intersection during the 4:00-5:00 PM peak hour. The approved truck routes shall not be modified to avoid this requirement.

Timing: Prior to issuance of the Zoning Clearance, ExxonMobil shall include in the Crude Oil Transportation Risk Management and Prevention Program (CO-TRMPP), at a minimum, the schedule for truck loading that avoids truck trips to the U.S. Highway 101 Northbound Ramp/ State Route 166 intersection during the 5:30-6:30 AM peak hour and the U.S. Highway 101 Southbound Ramp/State Route 166 intersection during the 4:00-5:00 PM peak hour.

Monitoring: P&D shall monitor compliance with this requirement and work with ExxonMobil to ensure the terms of this measure are met. P&D and Public Works will participate in the review and approval of the operational plan. (SEIR TR-1).

XX-7B. Truck Trip Restriction - Highway 101/State Route 166 (Cumulative)

To address cumulative impacts, truck trips shall not pass through the U.S. Highway 101/State Route 166 intersection during the 7:00-9:00 AM peak hours or the during the 4:00-6:00 PM peak hours. The approved truck routes shall not be modified to avoid this requirement. This measure shall only be applicable for when the SMPS is in operation.

Timing: Prior to issuance of the Zoning Clearance, ExxonMobil shall include in the Crude Oil Transportation Risk Management and Prevention Program (CO-TRMPP), at a minimum, the schedule for truck loading that avoids truck trips through the U.S. Highway 101/State Route 166 intersection during the 7:00-9:00 AM peak hours and the 4:00-6:00 PM peak hours while the SMPS is in operation.

Monitoring: P&D shall monitor compliance with this requirement and work with ExxonMobil to ensure the terms of this measure are met. P&D and Public Works will participate in the review and approval of the operational plan. (SEIR TR-4).

XX-7C. Calle Real Time of Day Restrictions

Crude oil trucks shall not be allowed on Calle Real during the hours of 7:45 AM and 8:30 AM, and between 2:55 PM and 3:40 PM when school is in regular operation and students are being bussed. The approved truck routes shall not be modified to avoid this requirement.

Timing: Prior to issuance of the Zoning Clearance, ExxonMobil shall include in the Crude Oil Transportation Risk Management and Prevention Program (CO-TRMPP), the schedule for truck loading that avoids truck trips on Calle Real during the hours of 7:45 AM and 8:30 AM and 2:55 PM and 3:40 PM when school is in regular operation and students are being bussed.

Monitoring: P&D shall monitor compliance with this requirement and work with ExxonMobil to ensure the terms of this measure are met. P&D and Public Works will participate in the review and approval of the CO-TRMPP. (SEIR TR-2).

XX-7D. Calle Real Speed Restrictions

Crude oil trucks shall be required to travel at or below 35 miles per hour along Calle Real. During rainy periods trucks shall be required to travel at or below 30 miles per hour along Calle Real. The approved truck routes shall not be modified to avoid this requirement.

Timing: Prior to issuance of the Zoning Clearance, ExxonMobil shall include in the Crude Oil Transportation Risk Management and Prevention Program (CO-TRMPP) a requirement for trucks to not exceed a speed of 35 mph and during periods of rain not to exceed a speed of 30 mph while traveling along Calle Real. This requirement shall be included in the training for all truck drivers.

Monitoring: P&D shall monitor compliance with this requirement and work with ExxonMobil to ensure the terms of this measure are met through use of vehicle tracking devices and GPS monitoring. P&D and Public Works will participate in the review and approval of the CO-TRMPP. (SEIR TR-3).

XX-8. Other Dept Conditions

Compliance with the following Departmental/Division letters (provided in Attachment B-2) is required:

- a. Air Pollution Control District dated July 17, 2020
- b. Public Works Department Transportation Division dated July 21, 2020
- c. County Environmental Health Services dated September 7, 2021

XX-9. Interim Trucking Period

Once a pipeline alternative is available to transport product to market, or after seven years, whichever is shorter, interim trucking will cease and the installed piping and components at the LFC facility will be placed out of service and isolated from the crude and vapor transport lines. The maximum life of the project shall be seven years, unless extended by County decision-makers. The facilities will remain in place and will be abandoned at the end of the life of the original SYU Project. Following the cessation of the interim trucking period, Conditions under Section XX will be null and void.

July 17, 2020

Jacquelynn Ybarra
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: Air Pollution Control District Suggested Conditions on the Proposed Interim Trucking for Santa Ynez Unit (SYU) Phased Restart Project, 17RVP-00000-00081, 19EIR-00000-00001

Dear Ms. Ybarra:

The Santa Barbara County Air Pollution Control District (District) has reviewed the Proposed Interim Trucking for Santa Ynez Unit (SYU) Phased Restart Project. ExxonMobil Production Company is requesting approval for the construction and operation of a crude truck loading facility at Las Flores Canyon (LFC) to allow transfer of product from LFC to crude transport trucks for delivery to local markets. More specifically, the project would consist of the interim trucking of limited crude production from the LFC Facility until a pipeline alternative becomes available. The project proposes minor modifications to the existing LFC facilities to facilitate the transport of produced crude oil via tanker truck. The air pollutant emissions from the project include both stationary source emissions from the operation of the truck loading facilities at LFC and mobile source emissions from operation of the crude transport trucks delivering product to markets. Trucks will have 2017 or newer engines, and will travel to one or both of two designated off-site locations: Phillips 66 Santa Maria Terminal (in Santa Barbara County) and Plains Pentland Terminal (in Kern County). The subject property, a 550-acre parcel zoned M-CR and identified in the Assessor Parcel Map Book as APN 081-220-014, is located at 12000 Calle Real on the Gaviota Coast.

District staff has the following comments and advisories:

1. The proposed project will be required to obtain an Authority to Construct (ATC) permit prior to construction of the project. Following the ATC permit, the project will be issued a Permit to Operate (PTO) that allows for ongoing operations of the facility. These permits will contain various operating conditions and local, state, and federal air quality requirements. The applicant will be expected to adhere to all conditions and requirements listed in their permits.
2. The District is a responsible agency under the California Environmental Quality Act (CEQA) for this project and will rely on the Supplemental Environmental Impact Report (SEIR) and CEQA findings made by Santa Barbara County when issuing District permits for the proposed project.
3. The suggested conditions below do not include a comprehensive list of District rules and regulations that may apply to the proposed project. The District ATC and PTO permits will prescribe all applicable and necessary conditions and requirements to satisfy District regulatory requirements.

4. Mitigation measures listed in the Final SEIR to reduce air quality and greenhouse gas impacts should be enforced as conditions of approval for the project. Mitigation measures for which the District has jurisdiction will be incorporated into the District ATC/PTO permits and enforced through permit compliance.

District staff offers the following suggested conditions:

1. The proposed project includes operations subject to District Rules and Regulations. These include District Rule 201 (*Permits Required*) and Rule 802 (*New Source Review*). Therefore, the project will be required to obtain an **Authority to Construct (ATC) permit** from the District prior to building/grading permit issuance. Proof of receipt of the required District permits shall be submitted by the applicant to planning staff.
2. Truck loading rack operations shall comply with District Rule 346 (*Loading of Organic Liquid Cargo Vessels*). For more information see www.ourair.org/wp-content/uploads/rule346.pdf.
3. Oil and gas components at the facility shall comply with District Rule 331 (*Fugitive Emissions Inspection and Maintenance*). For more information see www.ourair.org/wp-content/uploads/rule331.pdf.
4. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:
 - Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
5. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the District prior to grading/building permit issuance.
6. District Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. See www.ourair.org/wp-content/uploads/rule345.pdf.
7. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
8. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior

July 17, 2020

Page 3

to grading/building permit issuance. Construction engines with PERP certificates are exempt from District permit, provided they will be on-site for less than 12 months.

9. If contaminated soils are found at the project site, the District must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required.
10. The application of architectural coatings, such as paints, primers, and sealers that are applied to buildings or stationary structures, shall comply with District Rule 323.1, *Architectural Coatings* that places limits on the VOC-content of coating products.
11. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at 961-8890 or by e-mail at BarhamC@sbcapcd.org.

Sincerely,



Carly Barham
Planning Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: David Harris, Manager, District Engineering Division
Kevin Brown, Air Quality Engineer, District Engineering Division
Chron File



ATTACHMENT A FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. 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 when sustained wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



July 21, 2020

TO: Jaquelynn Ybarra, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (3 pages)**
Exxon Mobil Interim Trucking for SYU Phased Restart Project
17RVP-00000-00081
APN: 081-220-014

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Planning Areas of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is **\$1,887 (3 new PHT's x \$629 Traffic Fee)**. **Fees are due prior zoning clearance and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

Encroachment/Excavation/Haul Permit

2. Prior to Zoning Clearance, an excavation and/or encroachment permit shall be obtained for any work performed in the County right of way, including, but not limited to, road construction, driveways, utilities, connections and hauling more than 1000 cubic yards of earthwork.

The developer shall comply will all applicable Public Works Standard Permit Conditions of Approval and Engineering Design Standards, as determined by the Public Works Traffic and/or Permit Sections, prior to issuance of an Encroachment Permit.

Encroachment Permits and/or Santa Barbara Engineering Design Standards and Pubic Works Standard Conditions of Approval can be obtained at the following locations:

North County Permits Section
620 West Foster Road
Santa Maria, CA 93455
805-739-8788

South County Permits Section
4417 Cathedral Oaks Road
Santa Barbara, CA 93110
805-681-4967

3. Prior to Zoning Clearance, the applicant shall enter into an agreement with the County of Santa Barbara to ensure any damage to roadways attributable to the project is mitigated through repair or reconstruction to the road's original condition. Roads shall be photographed or video recorded prior to issuance of an encroachment permit to ensure that all repairs will be sufficient to return the road back to pre-construction conditions. All repairs shall comply with the current engineering design standards and policies of the County of Santa Barbara.
4. Prior to Zoning Clearance, the applicant shall prepare a TMP (Traffic Management Plan) for submittal to the County of Santa Barbara. The purpose of the TMP is to address potential hazards associated with Project truck traffic and to address level of service impacts. The plan will require measures such as informational signs, flagmen when equipment may result in blockages of throughways, and traffic control to implement any necessary changes in temporary lane configuration.

Specific provisions would include, but not be limited to:

- Location and use of flag persons and pilot cars during the delivery of large/heavy loads.
- Requirements to limit the hours for transporting large/heavy loads to minimize traffic impacts.
- Limit the number of large/heavy loads per day, or to specific days.
- Provide for advance notification of residents, businesses, emergency providers, and hospitals when roads or intersections may be partially or completely closed.
- Develop protocols for passage of emergency vehicles and regular traffic when large/heavy vehicles are traveling at slow speeds.
- Ensure adequate parking for workers, construction vehicles, and trucks.
- Encourage measures for using carpooling, shuttle buses, cycling, or motorcycling to travel to the construction site.
- Transportation Demand Management (TDM), including agreements, employee information, reporting, and traffic count monitoring.

- Prepare and implement detailed plans to safely accommodate the movement of any applicable oversized vehicles along the proposed haul routes, with particular emphasis on constrained locations such as intersections where the oversized vehicles will be turning and curves where the turning radius cannot adequately accommodate the passage of the any oversized vehicles. The plans would include, but not be limited to, detour signage, use of traffic control officers, time of day and/or day of week restrictions, and required coordination with police, fire, and other emergency service providers. Any oversized vehicles would also be required to have police escorts along the entire travel route. These provisions are subject to review and approval by the affected public agencies.

If you have any questions, please contact me at 739-8785.

Sincerely,



William T. Robertson

07-21-2020

Date

cc: 081-220-014

17RVP-00000-00081

Gary Smart, Traffic Section Manager, County of Santa Barbara, Public Works Department

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Environmental Health Services

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Lars Selfert Director of Environmental Health

TO: Jacquelynn Ybarra, Planner
Planning & Development Department

FROM: Jason Johnston
Environmental Health Services

DATE: September 7, 2021

SUBJECT: Case No. 17RVP-00000-00081

Project: ExxonMobil Interim Trucking for SYU Phased Restart

Assessor's Parcel No. 081-220-014, 081-230-019, and 081-230-025

Located at: 12000 Calle Real, Gaviota Area

zoned AG-II-100

ExxonMobil ("Applicant") is proposing a phased approach to restarting oil production at its existing Santa Ynez Unit (SYU) facilities, consisting of offshore platforms Hondo, Harmony, and Heritage, and an onshore processing facility at the Las Flores Canyon (LFC), by:

- 1) Constructing a tanker truck loading rack and ancillary equipment within the LFC; and
- 2) Initiating interim trucking of limited crude oil production (approximately 11,200 barrels/day) from the LFC to two receiving terminals until pipeline transport becomes available.

As proposed, the project would allow for the transport of SYU processed oil via tanker truck from the LFC to the following two receiving sites along pre-determined routes: (1) the Phillips 66 SMPS, located near the City of Santa Maria in northern Santa Barbara County; and (2) the Plains Pentland Terminal, located near the City of Maricopa in southwestern Kern County. Trucking would occur seven days per week, 24-hours per day, with no more than 70 trucks leaving LFC within a 24-hour period to the SMPS, and no more than 68 trucks leaving LFC within a 24-hour period to the Pentland Terminal. No more than 24,820 to 25,550 total round-trip truck trips from the LFC to the receiver sites would occur per year (24,820 trucks annually to the Pentland Terminal, 25,550 trucks annually to the SMPS, or a combination of the two receiving stations).

The lifetime of the interim trucking project is expected to be four to seven years, and would not exceed seven years unless extended by County decision-makers.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as an **Advisory**:

1. The applicant shall ensure all applicable permits and associated documents, such as the facility' Spill Prevention Control and Countermeasure Plan and Hazardous Materials Business Plan, are updated to reflect all resulting site changes, and to maintain compliance with Unified Program (hazardous materials) requirements, including but not limited to:
 - a. California Health and Safety Code, Division 20, Chapter 6.67, Sections 25270-25270.13;
 - b. California Health and Safety Code, Division 20, Chapter 6.95, Article 1, Sections 25500-25519 and California Code of Regulations, Title 19, Division 2, Chapter 4, Sections 2620-2734;
 - c. California Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25531-25543.3 and California Code of Regulations, Title 19, Division 2, Chapter 4.5, Sections 2735-2785;
 - d. California Health and Safety Code, Division 20, Chapter 6.5, Sections 25100-25258.2 and California Code of Regulations, Title 22, Division 4.5;
2. The applicant shall ensure that the design, construction, and configuration of the tanker truck loading area meets all applicable requirements of Code of Federal Regulations, Title 40, Part 112 incorporated by reference via California Health and Safety Code, Division 20, Chapter 6.67.
3. The applicant shall ensure that appropriate tanker truck loading procedures are in place in accordance with Code of Federal Regulations, Title 40, Part 112



Jason Johnston, REHS

Supervising Environmental Health Specialist

ATTACHMENT C: PROPOSED FINAL SEIR
19EIR-00000-00001 (SCH#2018061035)

The proposed Final Supplemental EIR for the project is available at:
<https://cosantabarbara.box.com/s/xfh8iigckvieiyyowwzzipuzl0zmsda>

ATTACHMENT D: FINAL SEIR
REVISION LETTER NO. 1

TO: County Planning Commission
FROM: Jacquelynn Ybarra, Planner III
Planning and Development, Development Review Division
DATE: September 8, 2021
RE: Revisions to 19EIR-00000-00001, the proposed Final SEIR for the ExxonMobil Interim Trucking for Santa Ynez Unit (SYU) Phased Restart Project (17RVP-00000-00081) to add description and additional analysis of the impacts associated with recommended incorporating two Alternatives into the proposed Project subsequent to completion of the SEIR for the project and prior to decision-maker action (including potential certification of the SEIR)

1.0 BACKGROUND

The Draft Supplemental Environmental Impact Report (Draft SEIR) for the proposed project was released for public review from April 12, 2019 to June 4, 2019. The County held a public comment hearing on May 6, 2019 in Santa Barbara, with teleconference to County offices in Santa Maria. At the hearing, the Planning & Development Department received oral comments from speakers, as well as written comments from public agencies, organizations, members of the public, and the Project Applicant. Section 8.0 of the SEIR includes a summary of the response to comments. Volume II of the SEIR contains all comments received and staff's responses to them. Revisions to the Draft SEIR did not result in any new significant environmental impacts or any increase in the severity of impacts identified in the Draft SEIR. The proposed Final SEIR was released on July 29, 2020, and the Planning & Development staff report for the proposed project was released on August 12, 2020.

On August 12, 2020, Phillips 66 announced to Planning & Development their plans to shut down the Santa Maria Pump Station (SMPS), one of the main trucking destinations for the proposed project, and its related facilities due to the planned conversion of Phillips 66's Rodeo refinery into a renewable fuel plant (known as the Rodeo Renewed Project). At the time of the Phillips 66 announcement, the proposed Final SEIR and staff report had already been released to the public. Project hearings that were scheduled to be heard by the Planning Commission in September 2020 were placed on hold, and the County determined that the proposed Revised Final SEIR should be revised to reflect the future shutdown of the SMPS since it could occur during the lifetime of the proposed project. The Final SEIR was revised in the summer of 2021 and released in August 2021. The revisions did not result in any new impacts, nor change the severity of any of the impacts identified in the previous Proposed Final SEIR. The updated information does not trigger any of the thresholds for recirculation identified under CEQA Guidelines Section 15088.5(a) [Recirculation of an EIR prior to certification].

The September 8, 2021 County Planning Commission staff report includes staff's recommendation to conditionally approve the proposed project as modified by a combination of two of the

alternatives evaluated in the SEIR. The two alternatives include the No Trucking During Rainy Periods Alternative (Environmentally Superior Alternative), and the Trucking to the SMPS Only Alternative (while available). The Applicant has accepted the description of the Modified Project as presented in recommended Condition XX-1 as the proposed Project Description for consideration by the County decision makers.

The SEIR contains analysis for each of the two selected alternatives. This Final SEIR Revision Letter No. 1 provides additional analysis to document that the Modified Project (i.e., the combination of the proposed project and two alternatives) would: (1) not result in any additional Significant and Unavoidable environmental impacts (Class I); (2) would not increase any Significant and Unavoidable, or Potentially Significant and Mitigable impacts (Class II); and (3) would lessen the severity of the Significant and Unavoidable impact as described in the SEIR. The mitigation measures identified in the SEIR apply to this Modified Project, and are included as conditions of approval in the staff recommendation (see Attachment B, Conditions of Approval, to the Planning Commission staff report).

2.0 ORIGINALLY PROPOSED PROJECT DESCRIPTION

The proposed ExxonMobil Interim Trucking Project includes a request for trucking oil from the Las Flores Canyon (LFC) facility to either the Phillips 66 SMPS, located at 1560 East Battles Road, east of the City of Santa Maria, or the Plains Pentland Terminal, located at 2311 Basic School Road in Maricopa, Kern County. Trucking would be limited to a maximum of 68 -70 trucks per day, which would limit production to 11,200 barrels of oil per day, which represents about one-third of the SYU production prior to the shutdown of the Plains Pipeline and the shut-in of the SYU platforms and LFC facilities. The amount of crude from the proposed project that could go to each of these receiving stations is unknown and would likely vary over time based upon available capacity and market conditions. For the purposes of the SEIR analysis, the impacts of 70 round trips per day has been evaluated to the SMPS, and 68 round trips per day to the Pentland Terminal, which are the maximum number of trucks per day requested by the Applicant to each receiving station.

The proposed project would involve the construction of a new truck loading facility in LFC. The truck loading facilities would be located in the Truck Loading Area (TLA), which is within an existing developed portion of the LFC facilities, north of the Transportation Terminal (TT). The site for the TLA is approximately 2.91 acres and the loading rack and associated lanes would occupy 0.12-acre of that area. The proposed project is described in more detail in Section 2.0 of the SEIR.

3.0 PROJECT DESCRIPTION CHANGES ASSOCIATED WITH THE MODIFIED PROJECT

Staff is recommending approval of the proposed project as modified by a combination of two alternatives evaluated in the SEIR (No Trucking During Rainy Periods, and Trucking to the SMPS Only [while available]), herein referred to as the “Modified Project”. The Modified Project would only apply for as long as the SMPS is accepting crude oil deliveries. Once the SMPS stops accepting crude oil, the Modified Project would shift to the No Trucking During Rainy Periods Alternative with all trucks going to the Pentland Terminal, which was fully analyzed in the SEIR.

3.1 No Trucking During Rainy Periods

With the No Trucking During Rainy Periods Alternative, trucking of oil from LFC would not be allowed for days when the National Weather Service predicts a 50% chance of receiving ½-inch of rain or more in a 24-hr period in the areas along the truck routes. Trucks loaded with crude oil would have to stop leaving the LFC facility four (4) hours prior to the projected start of the rain event for trucks going to the SMPS, and six (6) hours for trucks going to the Plains Pentland Terminal. Trucks would not be able to resume trucking until the rain event had ended. If the rain event did not materialize, then trucking would be allowed to resume. The annual number of trucks leaving the LFC facility would remain the same as the proposed Project, which would be maximum of 25,550 to SMPS, and 24,820 to Plains Pentland Terminal. However; under the No Trucking During Rainy Periods Alternative, trucking of oil from the LFC facility would be limited to a peak day of 78 trucks to either receiver site. The higher peak day number would allow the Applicant to transport crude oil that had built up during the days when no trucking would occur due to the rain. However, the annual number of trucks would continue to be limited to a maximum of 24,820 and 25,550 to the Pentland Terminal and SMPS respectively.

3.2 Trucking to SMPS Only

Under the Trucking to the SMPS Only Alternative, under normal conditions when the SMPS is operational and accepting oil from the Applicant, project trucks would only be allowed to travel to the SMPS. Crude oil would be trucked to the SMPS only unless the truck loading facilities at the SMPS were shut down for an extended, yet temporary, period (10 days or more). Under normal operations, 70 trucks per day would travel from the LFC facility to the SMPS. In the event of an extended yet temporary shutdown of the SMPS (10 days or more), the Applicant would be allowed to transport crude oil to the Plains Pentland Terminal with a maximum of 34 trucks per day. 34 is the number of trucks that could travel to the Pentland Terminal without exceeding the County significance threshold for NOx emissions. At this rate of trucking, the SYU facilities could continue producing for about 20 days based on storage tank capacity. This assumes that the one LFC crude oil storage tank is half full at the time the temporary SMPS shutdown began. Once the SMPS returns to normal operating conditions, this alternative would allow for up to 78 trucks per day between the LFC facility and the SMPS to make up for lost shipping days. However, the annual number of trucks leaving the LFC facility would be limited to a maximum of 25,550.

It is likely that this alternative would only be available for a short duration of the Modified Project's lifespan. It is also possible that the SMPS could be shutdown prior to the start of interim trucking operations. However, this alternative is included in the Modified Project as it could be implemented during the early years while the SMPS is still in operation. Although projected for some time in 2023, the exact timing of the shutdown of the SMPS is unknown, and could be delayed depending upon the permitting of the Phillips 66 Rodeo Renewed Project. This alternative would not apply once the SMPS is permanently shutdown, or is no longer accepting crude oil at the SMPS.

3.3 Modified Project

Combining the two alternatives discussed above, a maximum of 78 trucks per day could be used to deliver crude to the SMPS while it's in operation. The annual number of trucks would be limited to a maximum of 25,550 trucks per year, while the SMPS is operational. In the event of an extended, yet temporary, shutdown of the SMPS (10 days or longer), the Applicant would be allowed to transport up to 34 trucks per day to the Plains Pentland Terminal for the duration of the shutdown/disruption. Once the SMPS is permanently shut down, a maximum of 78 trucks per day could travel to the Pentland Terminal. The annual number of trucks traveling to the Pentland Terminal would be limited to a maximum of 24,820 trucks per year (an average of 68 trucks per day).

Trucking would not be allowed for days when the National Weather Service predicts a 50% chance of receiving ½-inch of rain or more in a 24-hr period in the areas along the truck routes. Trucks loaded with crude oil would have to stop leaving the LFC facility four (4) hours prior to the projected start of the rain event if traveling to the SMPS, and six (6) hours prior to the projected start of the rain event if traveling to the Pentland Terminal.

Construction and operation of the truck loading facilities in LFC would be the same as for the proposed project, consisting of installation of four LACT Units to measure the net volume and quality of oil, associated piping, electrical and communication connections, pipe and equipment supports, truck loading racks, operator shelter, paving of selected areas, and minor containment and drainage grading.

The Applicant would provide trucking data, including the total number of trucks per day to each trucking destination, to the County Systems Safety and Reliability Review Committee (SSRRC) as part of the project's Environmental Quality Assurance Program (EQAP) on a monthly basis. Planning and Development (P&D) compliance monitoring staff would maintain data on file, and would verify that truck trips would not exceed the maximum daily and annual truck trips.

4.0 ENVIRONMENTAL ANALYSIS OF THE MODIFIED PROJECT

Sections 5.2.3 and 5.2.4 of the SEIR contain a detailed evaluation of the impacts associated with the No Trucking During Rainy Periods and Trucking to the SMPS Only Alternatives, respectively. Section 5.3 of the SEIR compares the impacts of these two Alternatives to those identified for the proposed project (see SEIR Tables 5-18 and 5-19). Based upon the analysis presented in Section 5.3 of the SEIR, the No Trucking During Rainy Periods was found to be the Environmentally Superior Alternative after the No Project Alternative.

Combining the No Trucking During Rainy Periods Alternative with the Trucking to the SMPS Only Alternative (while available), would result in the potential severity of an oil spill impacting sensitive resources (i.e., biological, water, marine, and cultural resources) being reduced compared to the proposed project. The impacts associated with the combined No Trucking During Rainy Periods and the Trucking to the SMPS Only Alternatives are summarized below by issue area.

4.1 Air Quality (SEIR Section 4.1 and Section 5.2)

While trucks are only traveling to the SMPS, the Modified Project would have slightly higher daily mobile source air emissions than the proposed project since up to 78 truck trips per day would be allowed, as compared to 70 for the proposed project. Daily nitrogen oxides (NOx) mobile source

emissions to the SMPS would be 23.7 pounds (lbs)/day, which is below the County threshold of 25 lbs/day. All other criteria air pollutants from mobile sources would be below the County thresholds (see Table 5-14 of the SEIR for the detailed emission numbers). While the Modified Project would result in slightly higher daily mobile emissions for trucks going to the SMPS, the impacts would remain Less than Significant.

In the event of an extended yet temporary shutdown of the SMPS, up to 34 trucks per day could deliver crude oil to the Plains Pentland Terminal. Daily NO_x mobile source emissions to the Pentland Terminal would be 24.5 lbs/day, which is below the County threshold of 25 lbs/day. All other criteria air pollutants from mobile sources would be below the County thresholds. Daily air emissions to the Plains Pentland Terminal would be less than for the proposed project, which would reduce the impact classification from Significant but Mitigable to Less than Significant (see SEIR Table 5-14).

After the SMPS is no longer available and all trucks would be traveling to the Pentland Terminal, only the No Trucking During Rainy Periods Alternative would apply. The Modified Project would continue to have higher daily mobile source air emissions than the proposed project since up to 78 truck trips per day would be allowed to the Pentland Terminal, as compared to 68 for the proposed project. Daily NO_x mobile source emissions to the Pentland Terminal would be 58.9 lbs/day, which is above the County threshold of 25 lbs/day. All other criteria air pollutants from mobile sources would be below the County thresholds (see SEIR Table 5-9). Implementation of mitigation measure AQ-1, which requires the implementation of a Trucking Emissions Management Plan to include truck fleet specifications, operational requirements, reporting requirements, and emissions calculations to document truck emissions meet the threshold, would reduce the impacts for the Pentland Terminal; therefore impacts would be less than Significant with Mitigation, which is a higher classification than the proposed project.

As discussed in the SEIR Section 5.4, it is likely that while the SMPS is in operation, project trucks would displace about 38 trucks currently going to the SMPS that are coming from the east (i.e. San Joaquin Valley). This would result in a reduction in baseline air emissions from trucks currently going to the SMPS (see SEIR Table 4.1-17). Once the SMPS is shutdown, the existing crude oil trucks going to the SMPS from the east would no longer be traveling on State Route 166.

The health risk impacts of trucking would remain the same as the proposed project since the annual number of truck trips allowed would be the same (24,820 to 25,550 trucks per year).

4.2 Climate Change and GHG Emissions (SEIR Section 4.2 and Section 5.2)

While the SMPS is operational, the peak year greenhouse gas (GHG) emissions for the Modified Project would be 4,493 metric tons of carbon dioxide equivalent (MTCO_{2e}), the same as for the proposed project assuming all trucks going to the SMPS. This value exceeds the County threshold of 1,000 MTCO_{2e}. Implementation of mitigation measure GHG-1, which requires implementation of a GHG Reduction and Reporting plan to reduce or offset GHG emissions, would reduce impacts to Less than Significant with Mitigation, which is the same as the proposed project.

In the event of an extended yet temporary shutdown of the SMPS, up to 34 trucks per day could deliver crude to the Pentland Terminal for approximately 20 days based on the LFC's crude oil storage capacity (assumes one storage tank is half full). Based on 20 days of trucking to the Pentland Terminal, with the remaining 345 days trucking to the SMPS, the peak year GHG emissions were estimated at 4,643 MTCO_{2e}. This is below the 9,831 MTCO_{2e} estimated for the

proposed project for all trucks going to the Pentland Terminal, but still over the County threshold of 1,000 MTCO_{2e}. Implementation of mitigation measure GHG-1 would reduce impacts to Less than Significant with Mitigation, which is the same as the proposed project.

After the SMPS is no longer available and all trucks would be traveling to the Pentland Terminal, the annual GHG emissions would be the same as for the proposed project (9,831 MTCO_{2e}) since the annual number of trucks would be the same (24,820). These GHG emissions would exceed the County thresholds; however implementation of mitigation measure GHG-1 would reduce impacts to Less than Significant with Mitigation, which is the same as the proposed project.

As discussed in the SEIR Section 5.4, it is likely that project trucks would displace about 38 trucks currently going to the SMPS that are coming from the east. This would result in a reduction in baseline GHG emissions from trucks currently going to the SMPS by about 980 MTCO_{2e} per year.

4.3 Hazardous Materials/Risk of Upset (SEIR Section 4.3 and Section 5.2)

While the SMPS is in operation, trucking would be routed to the SMPS only unless there was an extended yet temporary shutdown of the SMPS (10 days or longer). A maximum of 78 trucks per day could leave the LFC facility, which is slightly higher than the proposed project of 70 trucks per day. In the event of an extended yet temporary shutdown of the SMPS, up to 34 trucks per day could go to the Pentland Terminal for the duration of the shutdown/disruption only. However, the maximum number of trucks per year would be limited to 25,550, which is the same as the proposed project.

After the SMPS is permanently shutdown, a maximum of 78 trucks per day could travel to the Pentland Terminal, which is higher than the proposed project of 68 trucks per day. However, the maximum number of trucks per year would be limited to a maximum of 24,820 trucks, which is the same as the proposed project.

Under this Modified Project, trucks would not be allowed to transport oil via truck when ½ -inch or more of rain is forecasted for a 24-hr period. Based upon historical rain data, trucking would cease approximately 11 to 30 days per year due to heavy rain events. To make up for these lost days, daily truck trips leaving the LFC facility would be increased to 78 trucks; however, the annual average number of trucks leaving LFC would be the same as the proposed Project (24,820 and 25,550 trucks per year to the Pentland Terminal and SMPS respectively).

Under the Modified Project, the annual spill probabilities would remain the same as the proposed project (once in 34 years to the SMPS, and once in 12 years to Pentland without mitigation, and once in 52 years to the SMPS and once in 17 years to Pentland with mitigation), as the total annual number of trucks would be the same. The Modified Project would use the same trucks as the proposed project, so the potential spill volumes would be the same. The public safety risk of transporting crude oil from the LFC facility to each of two receiving terminals would be Less than Significant, which is the same as the proposed project.

Under the Modified Project, the likelihood for a spill impacting waterways would be reduced since it would be less likely that the spilled oil would get transported via the rainwater to waterways and drainages. This would help to minimize potential spill impacts to sensitive resources. If an oil spill impacted sensitive resources (biological, water, marine, and cultural), the impact would remain Significant and Unavoidable, which is the same as the proposed project. However, by not trucking during rainy periods, the extent of the area impacted by a spill could potentially be reduced, thereby reducing the severity of the impact as compared to the proposed project.

While the SMPS is in operation, the Modified Project would substantially reduce trucking to the Pentland Terminal, which has a higher probably of spill than the SMPS (once in 12 and 17 years vs once in 34 and 52 years) due to a longer travel distance. Also, State Route 166 has several stretches of roadway that parallel major waterways such as the Cuyama River. By reducing trucking along State Route 166 as long as the SMPS is available, the probability of an oil spill entering a waterway would be reduced. Trucking would only be allowed to the Pentland Terminal in the event of an extended yet temporary shutdown of the SMPS (10 days or more), and would be limited to a maximum of 34 trucks per day. The Modified Project would substantially reduce the likelihood of an oil spill along State Route 166 when compared to the proposed project, but only while the SMPS is available.

It is also likely that while the SMPS is in operation, the Modified Project would reduce the number of oil trucks currently bringing oil to the SMPS via State Route 166 since existing trucks coming to the SMPS from the east would likely be displaced. Once the SMPS is shutdown, the existing crude oil trucks going to the SMPS from the east would no longer be traveling on State Route 166.

4.4 Transportation and Circulation (SEIR Section 4.5 and Section 5.2)

While the SMPS is in operation, the peak hourly trucks traveling to the SMPS would add 7 to 10 passenger car equivalent (PCEs) to U.S. Highway 101 in each direction, which is slightly higher than the 6 to 9 PCEs calculated for the proposed project. This increase is due to increasing the peak daily truck number from 70 to 78. For the time that limited trucks are going to the Pentland Terminal, peak hourly trucks would add 3 to 4 PCEs on Highway 101 and State Route 166 in each direction, which is lower than for the proposed Project (6 to 12 PCEs) due to a reduction in daily truck trips from 68 to 34.

This would substantially reduce the truck miles traveled on State Route 166 by limiting the number of trucks that could go to the Pentland Terminal as long as the SMPS is in operation. This would reduce the number of trucks using the U.S. Highway 101/State Route 166 East interchange, which is the only interchange that has a Significant but Mitigable traffic impact. While the SMPS is in operation, the Modified Project would add a maximum of 8 PCEs to the U.S. Highway 101 Northbound Ramp/State Route 166 intersection, and a maximum of 4 PCEs to the U.S. Highway 101 Southbound Ramp/State Route 166 intersection, which is less than the 12 and 6 PCEs for the proposed project, respectively. Implementation of mitigation measures TR-1 and TR-4, which require truck trip restrictions on the U.S. 101/State Route 166 intersection during peak hours, would reduce impacts to Less than Significant with Mitigation, which is the same as the proposed project. All other intersections would have a Less than Significant impact.

Once the SMPS is permanently shutdown, the peak hourly trucks traveling to the Pentland Terminal would add 8 to 12 PCEs to State Route 166 in each direction, which is slightly higher than the 6 to 12 PCEs calculated for the proposed project due to increasing the peak daily truck number from 68 to 78. Implementation of mitigation measure TR-1, which requires truck trip restrictions on the U.S. 101/State Route 166 intersection during peak hours, would reduce impacts to Less than Significant with Mitigation, which is the same as the proposed project.

As discussed in the SEIR Section 5.4, it is likely that Project trucks would displace about 38 trucks currently going to the SMPS that are coming from the east. This would result in a reduction in baseline crude oil truck traffic along State Route 166. Once the SMPS is shutdown, the existing crude oil trucks going to the SMPS from the east would no longer be traveling on State Route 166.

Traffic safety impacts along Calle Real would remain the same as the proposed project, but could slightly increase in severity due to an increase in peak daily traffic from 70 trucks to 78 trucks (an 11% increase). Implementation of mitigation measures TR-2 and TR-3, which require speed restrictions and truck trip restrictions on Calle Real during certain school hours, would reduce impacts to Less than Significant with Mitigation, which is the same as the proposed project.

5.0 POLICY CONSISTENCY

The SEIR includes a preliminary evaluation of the proposed project's consistency with applicable policies of the Santa Barbara County Comprehensive Plan, Gaviota Coastal Plan, Land Use and Development Code, and Coastal Zoning Ordinance. This evaluation concluded that ExxonMobil's proposed project would be potentially consistent with each of the identified policies. The staff report analyzed the Modified Project discussed above, and determined it would not create potential inconsistencies with the Santa Barbara County Comprehensive Plan, Gaviota Coastal Plan, Land Use and Development Code, and Coastal Zoning Ordinance, as detailed in the policy consistency analysis (Staff Report Tables 6- 8, Sections 6.9 and 6.10).

6.0 OTHER CEQA-MANDATED SECTIONS

Other CEQA-mandated sections, as discussed in the SEIR, also apply to the Modified Project and would remain the same as the proposed project.

7.0 MITIGATION MONITORING PROGRAM

The mitigation measures and mitigation monitoring program discussed in Section 6.0 of the SEIR also apply to the Modified Project, and would remain the same as the proposed project.

8.0 CONCLUSION

Based on the foregoing impacts resulting from implementation of the Modified Project (the combination of proposed project and the No Trucking During Rainy Periods and Trucking to the SMPS Only [while available] Alternatives), the Modified Project would not result in a change in the levels of impacts identified in the analyses in the SEIR for each of the alternatives, but would reduce the overall severity of the only Class I impact (oil spill impacts to sensitive resources). Once the SMPS is no longer accepting crude oil, the recommend project would become the No Trucking During Rainy Periods Alternative with all trucks going to the Pentland Terminal, which was fully analyzed in the SEIR.

Incorporation of this Final SEIR Revision Letter #1 dated September 8, 2021 into the SEIR fulfills the environmental review requirements for the Modified Project and the information contained herein does not require recirculation of the SEIR pursuant to CEQA Guidelines Section 15088.5.

ATTACHMENT E: SYU PROJECT EIR NO. 83-EIR-22

The 1984 EIR and 1986 SEIR for the SYU Project is available at:

<https://cosantabarbara.box.com/s/0tabe1sy66wmjrvzk7bm6zhxt0fcg6yk>

ATTACHMENT F: EXHIBITS

Figure 2-2 Las Flores Canyon Site Map

Figure 2-3 Proposed Truck Loading Facility Layout

Figure 2-4 Proposed Truck Routes to Receiving Facilities

Figure 2-5 Truck Route within Las Flores Canyon Facility

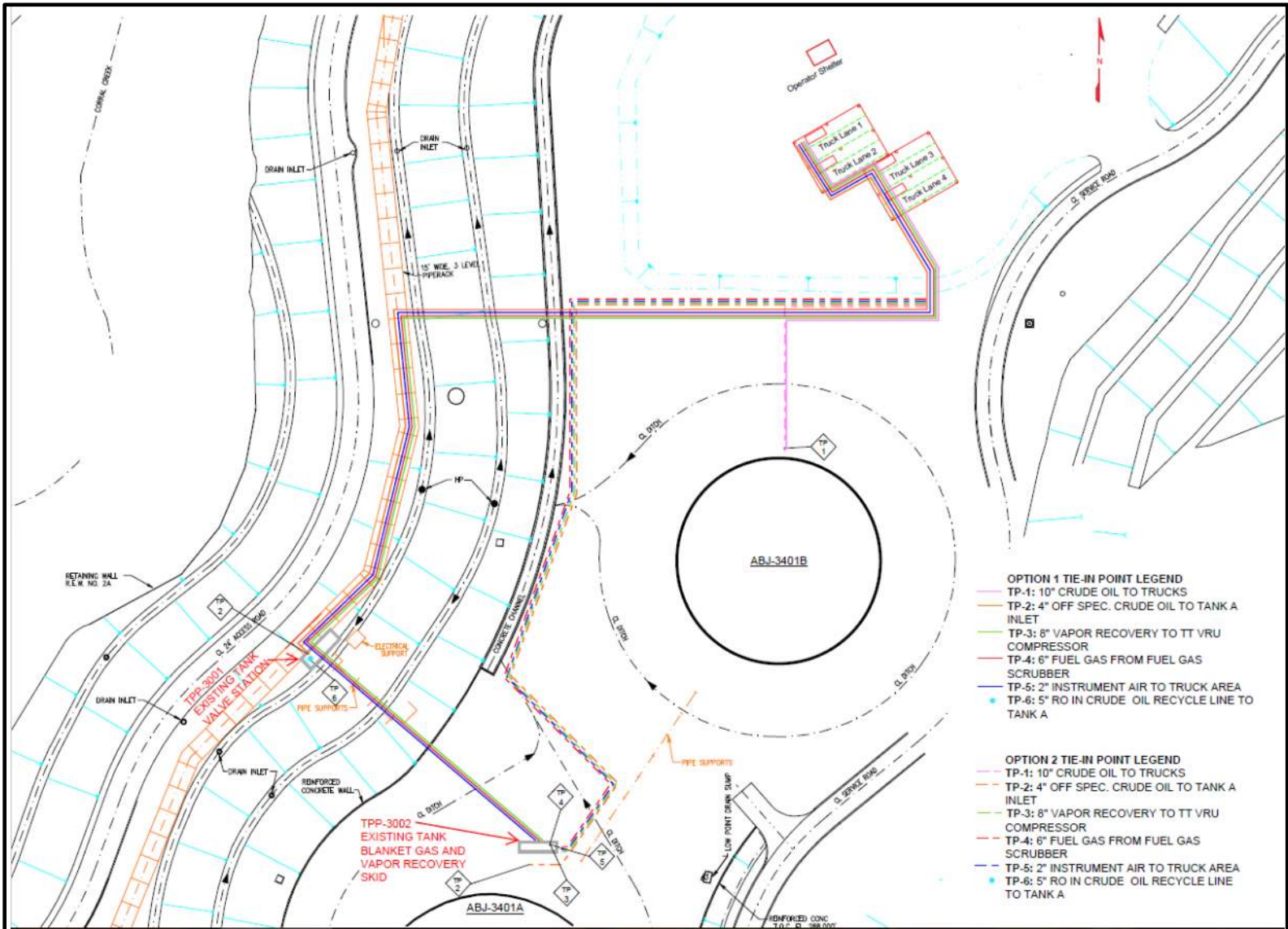
Figure 2-9 Santa Maria Pump Station Site Plan

Figure 2-2 Las Flores Canyon Site Map



Source: Adapted from ExxonMobil, Application-Appendix B, December 2017

Figure 2-3 Proposed Truck Loading Facility Layout



Source: Adapted from ExxonMobil, Application-Industrial Risk Analysis, December 2017, and updated from information provided by ExxonMobil, October 2018

Figure 2-4 Proposed Truck Routes to Receiving Facilities



Source : ExxonMobil, Application-Appendix B, December 2017

Figure 2-5 Truck Route within Las Flores Canyon Facility



Source: ExxonMobil, Application-Industrial Risk Analysis, December 2017

Figure 2-9 Santa Maria Pump Station (SMPS) Site Plan



Source: Aerial Google Earth 2018