



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

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

Submitted on:
(COB Stamp)

Department Name:	Planning and Development
Department No.:	053
Agenda Date:	February 25, 2025
Placement:	Departmental
Estimated Time:	2 hours
Continued Item:	No
If Yes, date from:	N/A
Vote Required:	Majority

TO: Board of Supervisors

FROM: Lisa Plowman, Director, Planning & Development (805) 568-2086
Contact Info: Errin Briggs, Deputy Director, EMC Division (805) 568-2047

SUBJECT: Hearing to consider the appeals of the Planning Commission Approval of the Sable Offshore Corporation's Change of Owner, Operator, and Guarantor for the Santa Ynez Unit, Pacific Offshore Pipeline Company Gas Plant, and Las Flores Pipeline System Final Development Plan Permits. Third, Fourth, and First Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Deny the appeals, Case Nos. 24APL-00025 and 24APL-00026;
- b) Make the required finding for approval of the Sable Offshore Corporation's Change of Owner, Operator, and Guarantor for the respective Santa Ynez Unit, Pacific Offshore Pipeline Company Gas Plant, and Las Flores Pipeline System Final Development Plan Permits, including California Environmental Quality Act (CEQA) findings (Attachment A);
- c) Determine the requests are not a "project" that is subject to environmental review under CEQA Guidelines Section 15378(b)(5), finding that the actions consist of administrative activities of government that will not result in direct or indirect changes to the environment (Attachment C); and
- d) Grant *de novo* approval of the Change of Owner, Operator, and Guarantor for the respective Santa Ynez Unit, Pacific Offshore Pipeline Company Gas Plant, and Las Flores Pipeline System Final Development Plan Permits as detailed in this Board Letter and subject to the Conditions of Approval (Attachments B-1, B-2, and B-3).

Summary Text:

This Board Agenda Letter details the issues and staff responses for the appeals of the Planning Commission's October 30, 2024 approval of the Sable Offshore Corporation's (Sable) Change of Owner, Operator, and Guarantor applications for the onshore Santa Ynez Unit (SYU) facilities, the Pacific Offshore Pipeline Company (POPCO) Gas Plant, and the Las Flores Pipeline System Final Development Plan Permits. The three facilities are existing, operationally interrelated oil and gas facilities, permitted to operate under previously-issued County Final Development Plan Permits and Coastal Development Permits.

On February 14, 2024, Sable acquired the SYU from ExxonMobil Corporation, as well as POPCO and Pacific Pipeline Company, the owners of the Gas Plant and the Las Flores Pipeline System, respectively. On March 14, 2024, Sable submitted applications to Planning and Development for the following:

- A Change of Owner, Operator and Guarantor of the onshore SYU facilities permit, No. 87-DP-32cz (RV06), from ExxonMobil Corporation to Sable;
- A Change of Operator and Guarantor of the POPCO Gas Plant permit, No. 93-FDP-015 (AM03), from ExxonMobil Corporation to Sable; and
- A Change of Operator and Guarantor of the Las Flores Pipeline System permit, No. 88-DPF-033 (RV01)z, 88-CP-60 (RV01)(88-DPF-25cz;85-DP-66cz; 83-DP-25cz), from ExxonMobil Pipeline Company to Sable (Operator), and ExxonMobil Corporation to Sable (Guarantor).

The onshore SYU facilities and POPCO Gas Plant are County-permitted facilities that treat crude oil and natural gas from offshore Platforms Hondo, Harmony, and Heritage in the Santa Barbara Channel. The County's permitting jurisdiction is limited to the onshore SYU facilities, and does not include the offshore platforms or offshore infrastructure, unless specifically described in the Final Development Plan Permit. When operating, oil produced from the SYU is transported via the common-carrier Las Flores Pipeline System (formerly known as the Plains All American Pipeline), a County-permitted pipeline system. These permit transfer requests are to transfer existing County permits to a new Owner, Operator, and/or Guarantor pursuant to County Code Chapter 25B, and not for the actual transfer of the underlying assets themselves.

Chapter 25B governs the process to transfer County permits for certain oil and gas facilities (herein referred to as a 25B Permit Amendment). Applications were processed by Planning and Development and acted on by the Planning Commission in accordance with Chapter 25B-8(C). On October 30, 2024, the Planning Commission approved the above-listed 25B Permit Amendments after considering the Staff Report and hearing the Applicant's testimony and public comments. The Planning Commission found the 25B Permit Amendments to be exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(5), and consistent with Chapter 25B findings that require facility fees to be paid, financial guarantees to be updated to reflect the new party, permit conditions to be accepted, copies of the most recent County-conducted safety audits to be provided, permit compliance to be met as of the date of application completeness, compliance plans to be submitted with updated emergency contact information, transitional plans to be submitted, emergency response drills to be conducted, and operator capability to be demonstrated.

Following the Planning Commission's approval, the Center for Biological Diversity together with the Wishtoyo Foundation, as well as the Environmental Defense Center together with Get Oil Out! and the Santa Barbara County Action Network filed appeals of the decision. The appeals are now before the Board of Supervisors for consideration.

The record for these permit transfer requests is provided in this Board Letter and attachments, as well as in the Set Hearing Board Letter dated February 4, 2025 and attachments, and incorporated herein by reference. The February 4, 2025 Set Hearing Board Letter includes the appeal letters, the Planning Commission Action Letter, the Planning Commission Staff Report, the public comment record, the Facilitation Report, and additional details regarding the background of the permit transfer requests. An analysis of the applications in relation to the required findings of Chapter 25B are detailed in the Planning Commission Staff Report dated October 22, 2024, included in the February 4, 2025 Set Hearing Board Letter. This Board Letter details the appeal issues and provides staff responses, as well as provides Findings for Approval and Conditions of Approval for the 25B Permit Amendment requests (Attachments A and B, respectively). A CEQA Notice of Exemption is included in Attachment C.

Background:

Appeal Issues and Staff Responses

The following issues have been summarized from the appeal letters (Attachment A to the February 4, 2025 Set Hearing Board Letter). The appeal issues and staff's responses have been organized based on the Chapter 25B finding categories below.

Financial Guarantees: Sec. 25B-9 (a)(2) and 25B-9(e)(1) Director Findings, and Sec. 25B-10 (a)(2) Planning Commission Findings

1. Appeal Issue #1. Sable has not been issued final Certificates of Financial Responsibility for the SYU facilities, and the County must also require that final Certificates be submitted for the Las Flores Pipeline System.

The appellants state that Sable must be issued final Certificates of Financial Responsibility from the California Department of Fish and Wildlife's Office of Spill Prevention and Response for the facilities in order to meet Chapter 25B's financial guarantee findings. The appellant recognizes that only the SYU Permit requires Certificates of Financial Responsibility to be submitted; however, the appellant claims that the County must amend the Las Flores Pipeline Permit to also require certificates for the pipeline system because the permit is being transferred from a "financially strong company" to a "weaker one". The appellant also states that although Certificates of Financial Responsibility for both the SYU and the Las Flores Pipeline System were issued to Sable, they are not final because the worst-case spill volumes demonstrated for the documents are based on draft oil spill contingency plans that the Office of Spill Prevention and Response is reviewing, but has not yet approved. The appellants state that therefore, the Certificates of Financial Responsibility cannot be considered final, and County Chapter 25B findings 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2) cannot be made.

Staff Response:

Findings 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2) require that all insurance, bonds, and other instruments of financial responsibility necessary to comply with County permits and County ordinance have been updated to reflect the new Owner, Guarantor, and Operator. As described in the Planning Commission Staff Report dated October 22, 2024, only the SYU Permit requires the permittee to submit financial responsibility documents, as outlined in Condition XI-2.w *Responsibility for Oil Spill Clean-Up and Resource Restoration*. Condition XI-2.w requires the permittee to provide the County with a copy of its Certificate of Financial Responsibility related to the SYU's offshore operations to demonstrate financial responsibility in the case of an oil spill or upset event. The Office of Spill Prevention and Response issued Sable a Certificate of Financial Responsibility No. 2-2623-00-00 for the SYU offshore operations on October 3, 2024, which required Sable to demonstrate \$101 million dollars in financial responsibility per Title 14 of the California Code of Regulations, Subdivision 4 Section 790-797. Sable submitted a copy of the certificate to the County as part of their 25B Permit Amendment application (Attachment H to the October 22, 2024 Planning Commission Staff Report), meeting Chapter 25B requirements to update financial documents to reflect the new Owner, Guarantor, and Operator, and meeting permit requirements to submit a copy of the certificate to Planning and Development. Therefore, staff maintains that findings 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2) related to Certificates of Financial Responsibility can be made.

Neither the POPCO Gas Plant nor the Las Flores Pipeline System permits have conditions that require the permittee to submit financial responsibility documents. Therefore, Sable is not required to submit financial documents for the gas plant or pipeline system as part of the 25B Permit Amendment process. Further, the County cannot amend the Las Flores Pipeline permit to require financial responsibility documents where they are not already required. The appellant cites that the County is allowed to impose additional financial conditions on permits for facilities that are transferred from "financially strong" companies to "weaker" ones per the County's *Guidelines to Implement Chapter 25B*. However, the document the appellants cite is a draft internal document dated June 2002, which was obtained through a public records request and is not included as part of the adopted Chapter 25B ordinance, or any other County code. Only the findings outlined in Chapter 25B need to be met in order to approve the permit transfers.

The appellants statement that the Office of Spill Prevention and Response first needs to approve an oil spill contingency plan before they can issue a Certificate of Financial Responsibility is incorrect. The Office of Spill Prevention and Response issues these certificates to facilities, vessels, and pipelines after they have provided an application and proof that they have the financial resources to cover the costs of response for a "worst-case scenario" spill. Planning and Development staff confirmed with the Office of Spill Prevention and Response that the approval of a Certificate of Financial Responsibility is dependent on demonstrated financial responsibility, and not the status of an associated oil spill contingency plan. The Office of Spill Prevention and Response stated that issued certificates may be updated based on approved oil spill contingency plans; however, certificate issuance is not dependent on oil spill plan approval. The status of Sable's oil spill contingency plans under review by the Office of Spill Prevention and Response is detailed in Appeal Issue #6.

Outside of the County 25B Permit Amendment process, and for information-only, Sable provided the County with copies of their issued Certificates of Financial Responsibility for the Las Flores Pipeline System in October 2024 (Nos. 2-2624-00-001 and 4-2624-00-001), to show that they also have state-required financial documents for the pipeline system (Attachment H to the October 22, 2024 Planning Commission Staff Report).

2. *Appeal Issue #2. Sable has not posted decommissioning performance bonds for the facilities as required under the County Permits and California law.*

The appellants state that Sable has not posted decommissioning bonds required for the facilities under the County Permits, or under California Public Resources Code Sections 3202(a) and 3205.8(a)(1). The appellants state that because these bonds have not been posted, County Chapter 25B findings 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2) cannot be made.

Staff Response:

As described in the Planning Commission Staff Report dated October 22, 2024, facility decommissioning bonds are to be posted to the County immediately following the permanent shut down of the facilities (see SYU Condition XIX-1, POPCO Condition Q-2, and Las Flores Pipeline Condition O-1). Under the SYU and Las Flores Pipeline permits, following the permanent shutdown of the facilities, the permittee shall either post a performance bond or continue to pay property taxes until site restoration is complete, as determined by the County. Under the POPCO permit, following the permanent shutdown of the facility, the permittee shall post a performance bond in an amount determined by the County. Decommissioning bonds were not required to be posted as part of the original project approvals, and no decommissioning bonds have been required to date. Therefore, staff maintains that findings 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2) related to decommissioning bonds can be made.

Regarding bonding requirements under California Public Resources Code Sections 3202(a) and 3205.8(a)(1), these are state-required bonding activities that are overseen through the California Department of Conservation's Geologic Energy Management Division. The County has no jurisdiction over bonding requirements from other regulatory agencies, and they are not required for the 25B Permit Amendment process.

3. *Appeal Issue #3. Sable does not have the financial capability to cover a worst-case oil spill from the facilities.*

The appellant states that Sable does not have enough capital or insurance to sufficiently address a worst-case oil spill from the facilities. The appellants state that a spill from the Las Flores Pipeline System alone could cost upwards of \$750 million dollars in cleanup, fines, and penalties (similar to 2015 Refugio oil spill), which is more than Sable's current capital and liability insurance amounts. The appellant also states that the Certificates of Insurance provided by the Applicant are inadequate as they do not provide the full policy details.

Staff Response:

Each facility permit is conditioned to state that the permittee shall be liable for any potential oil spill, gas leak, or other upset scenario (see SYU Condition XI-2.w, POPCO Condition A-12, and Las Flores Pipeline Condition A-12). However, as described in Appeal Issue #1, only the SYU Permit

requires the permittee to submit financial responsibility documents to demonstrate financial capability in the case of an upset event. Because there are no similar requirements in the POPCO Gas Plant or Las Flores Pipeline System permits, no instruments of financial responsibility are required to be submitted for those facilities. Sable provided a copy of their Certificate of Financial Responsibility for the SYU offshore facilities, meeting the required findings of 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2) (see Appeal Issue #1).

The SYU permit also requires that the permittee provide copies of their Certificates of Insurance to produce evidence of sufficient financial responsibility for the clean-up of oil spills (see SYU Condition XI-2.w), but only for operators and users of marine terminals within the County. All language within the SYU permit concerning the construction and operation of the former Las Flores Canyon Consolidated Marine Terminal was previously maintained for the permit record; however, conditions relating to the marine terminal were extinguished on April 1, 1994. Therefore, because the marine terminal is no longer applicable, the requirement for the permittee to provide a Copy of their Insurance Certificates is not applicable and is not required for the 25B Permit Amendment.

Outside of the 25B Permit Amendment process and for information-only, Sable provided the County with copies of their Certificate of Property Insurance and their Certificate of Liability Insurance for the SYU offshore operations (Attachment G to the October 22, 2024 Planning Commission Staff Report) to show they have insurance in place.

4. *Appeal Issue #4. The County cannot rely on its permits or regulatory codes to require that Sable be responsible for the cleanup and remediation of any spills, or for facility decommissioning costs.*

The appellant states that if Sable cannot pay for cleanup and remediation costs of an oil spill, or cannot pay for its final abandonment obligations (e.g. if Sable went bankrupt or has insufficient funds), the County and its taxpayers would be left with the costs of these obligations, as companies dispute liability for these events even under state and federal law.

Staff Response:

Approval of the Change of Owner, Operator, and Guarantor is limited to the County's ability to make the required findings outlined in Chapter 25B. As discussed in Appeal Issues # 1-3, staff maintains that all required financial capability findings can be made.

As described in Appeal Issues #2 -3, the Final Development Plan permits outline both the permittee's abandonment and risk of upset liability responsibilities. In addition, Chapter 25B-4(i) states that the permittee is liable for the proper abandonment of the facilities, and that the immediately preceding owner/operator shall be responsible if the current permittee is not financially capable. Per Chapter 25B-13 *Enforcement*, any permittee who fails to comply with the provisions of Chapter 25B would be subject to administrative fines and penalties, as well as civil and/or criminal penalties. In addition, the County's Land Use and Development Code Section 35.56 *Oil/Gas Land Uses – Abandonment and Removal Procedures*, and Coastal Zoning Ordinance Article II Section 35-170 *Abandonment of Certain Oil/Gas Land Uses* govern the process for the

final abandonment of these facilities. At final abandonment, the permittee would follow the procedures outlined in County code to further mitigate any risk of default on demolition and reclamation obligations.

Outside of the County's 25B Permit Amendment process, and for information-only, there are multiple other protections in place for oil spill and abandonment liabilities related to the facilities. Some include, but are not limited to the following:

- The Purchase and Sale Agreement between ExxonMobil Corporation and Sable outlines that at (or prior to) restart, Sable shall provide ExxonMobil with a \$350 million-dollar performance bond for ExxonMobil to use if Sable defaults on any facility abandonment obligations. After January 1, 2026, Sable shall increase the bond to \$500 million-dollars, and ExxonMobil and Sable shall review the bond every three years thereafter to revise the amount as needed (see Sable's Securities and Exchange Commission filing, *Proxy Soliciting Materials (revised)*, dated January 16, 2024¹).
- For offshore decommissioning, the Bureau of Ocean Energy Management's April 2024 Final Rule (*Risk Management and Financial Assurance for OCS and Lease Grant Obligations*) strengthens financial assurance requirements for leaseholders in order to protect American taxpayers from covering costs that should be borne by the oil and gas industry².
- The Oil Pollution Act of 1990 and California's Lempert-Keene-Seastrand Oil Spill Prevention and Response Act require strict liability on the owners or transporters of oil for removal costs and damages caused by an oil spill. If a polluter is deemed liable for an oil spill, they must reimburse all expenses to regulators. If the polluter cannot be found liable, or if they reach their limit of liability, the Oil Spill Liability Trust Fund is available to cover costs³.

Compliance with Existing Requirements: Sec. 25B-10 (a)(5) Planning Commission Findings

5. Appeal Issue #5. Sable is not in compliance with their Las Flores Pipeline permit which requires effective cathodic protection.

The appellant states that the Las Flores Pipeline System remains vulnerable to corrosion due to pipeline insulation that limits the effectiveness of the cathodic protection system. Because of this insulation, and because of the 2015 oil spill, the pipeline's cathodic protection system cannot be considered effective, and Sable cannot be considered in compliance with Final Development Plan Permit Condition No. A-7, Substantial Conformity, and the County's Chapter 25B finding 25B-10(a)(5) cannot be made.

Staff Response:

Finding 25B-10(a)(5) requires that the current operator is in compliance with all requirements of the permit as of the date the 25B Permit Amendment application is deemed complete. As described in the Planning Commission Staff Report dated October 22, 2024, staff determined that the permittee was in compliance with all requirements of the Las Flores Pipeline System permit,

¹ Information available online at: [Sable Offshore Corp. - Financials - SEC Filings](#)

² Information available online at: <https://www.boem.gov/oil-gas-energy/risk-management/financial-assurance-requirements-offshore-oil-and-gas-industry#:~:text=On%20April%2015%2C%202024%2C%20the,published%20on%20April%2024%2C%202024.>

³ Information available online at: https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/About_NPFC/osltf/

and no County notice of violation, or notice of violation from another agency, had been issued for the pipeline system as of the date the application was deemed complete on July 30, 2024.

The Las Flores Pipeline System permit does not contain any specific conditions related to cathodic protection. Permit Condition A-7 states that the procedures, operating techniques, design, equipment, and other elements of the original project description that received environmental analysis are incorporated as permit conditions, and shall be required elements of the project. The project description outlined in the 1984 Draft Environmental Impact Report / Environmental Impact Statement (DEIR/EIS) (ERT 1984)⁴ prepared for the pipeline project states that *“the entire pipeline would be protected from corrosion with cathodic protection systems consisting of groundbeds and rectifiers. The number and location of these systems would be based on tests of pipeline-to-soil potential after construction. Corrosion protection test stations would be installed at least every 10 miles to test the performance of the cathodic protection system. These stations, which are about the size of a parking meter, would be within the ROW”* (DEIR/EIS Section 2.2.1.1, pg. 2-5). The DEIR/EIS also states that *“a protective coating of overlapping layers of 20-mil vinyl tape would be applied [to the pipeline]. Areas to be insulated would receive 1.5 inches of insulation with a vinyl outer wrap...applied at several field coating yards...”* (DEIR/EIS Section 2.2.2.6, pg. 2-22).

The cathodic protection system was installed as part of original pipeline construction, and uses Impressed Current Cathodic Protection consisting of rectifiers, groundbed anodes, and critical bonds. A total of 143 test stations are located along the approximately 122-mile pipeline, which equates to at least one station every mile (depending on location), and meets the DEIR/EIS described system placement of one at least every 10 miles. Monitoring and inspection of the cathodic protection system is required under the Code of Federal Regulations Title 49 Part 195 *Transportation of Hazardous Liquids by Pipeline*, and includes weekly, bi-monthly, and annual monitoring to test the system’s effectiveness. Areas of the pipeline are also thermally insulated in a layer of protective coating as outlined in the DEIR/EIS, which increases the potential for the risk of pipeline corrosion. The DEIR/EIS does not state that the pipeline would be fully protected from oil spills, as the potential for oil spills was determined to be a Significant and Unavoidable Impact in the DEIR/EIS even with the required project description elements and adopted avoidance and minimization measures (see the DEIR/EIS Summary Section pg. S-4 through S-14). Therefore, staff maintains that the permittee is in compliance with their project description regarding the cathodic protection system, and that finding 25B-10 (a)(5) can be made.

Outside of the County’s 25B Permit Amendment process and for information only, the Office of the State Fire Marshal granted State Waivers to Sable in December 2024, which are orders that modify compliance with regulatory requirements when an operator demonstrates that alternative measures are consistent with pipeline safety. The State Waivers were granted in order to manage the pipeline system’s risk of corrosion under insulation in accordance with Title 49 of the U.S. Code, Section 60105, and Title 49 of the Code of Federal Regulations, Part 195⁵. Under the State Waivers, Sable is required to comply with approximately 68 conditions related to

⁴ Available online at: <https://cosantabarbara.box.com/s/vi0hwxxg1abbkk0eqozq6864h126ayab>

⁵ Available online at: <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/pathways-for-restarting-pipelines>

pipeline operations, testing, inspections, analysis and integrity management, and recordkeeping and reporting to address corrosion under insulation.

Compliance Plans: Sec. 25B-10 (a)(6) Planning Commission Findings

6. *Appeal Issue #6. Sable has not submitted approved oil spill contingency plans for the facilities.*

The appellants state that Sable has not submitted adequate or approved oil spill contingency plans for the facilities. The appellants state that because plans have not been approved by the Office of Spill Prevention and Response, County Chapter 25B finding 25B-10(a)(6) cannot be made.

Staff Response:

Finding 25B-10(a)(6) requires that the current facility owner and proposed operator have updated existing compliance plans to reflect the emergency contact information pertaining to the new operator. As described in the Planning Commission Staff Report dated October 22, 2024, staff confirmed that at minimum, Sable submitted all required compliance plans for the facilities with new emergency contact information, including the facility-specific oil spill contingency plans titled the *Pacific Region Oil Spill Response Plan* for the SYU offshore facilities, the *Emergency Response Plan* for the SYU onshore facilities and POPCO Gas Plant, and the *Integrated Contingency Plan* for the Las Flores Pipeline System, meeting the requirements of finding 25B-10(a)(6). Chapter 25B does not require that updated compliance plans be approved by the Office of Spill Prevention and Response, or by other non-County regulators.

For permit compliance, the individual Final Development Plan permits state that the facilities shall have spill contingency plans in place prior to initial start-up and/or initial permit issuance (see SYU Conditions XI-2.c. and XI-2.e., POPCO Condition P-3, and Las Flores Pipeline Condition P-5). These plans were originally reviewed by the County as part of the original permit approvals, meeting the compliance requirements required by findings 25B-9 (a)(5) and 25B-10 (a)(5). These compliance plans are considered “living documents” that are routinely updated based on local, state, and federal requirements.

Outside of the Chapter 25B Permit Amendment process, and for information-only, the *Pacific Region Oil Spill Response Plan* for the SYU offshore operations was first submitted to the Bureau of Safety and Environmental Enforcement on May 21, 2024, and to the Office of Spill Prevention and Response on June 7, 2024 (Plan No. CA-00-7239). The Bureau of Safety and Environmental Enforcement approved the plan on June 27, 2024. The Office of Spill Prevention and Response conducted separate reviews of the plan, and most recently required Sable to submit a revised plan by December 22, 2024 to include additional information on potential oil discharges and potential spills that may occur after mitigating controls have been implemented. Sable provided a revised plan by the required deadline, and is currently waiting on final approval. The *Integrated Contingency Plan* for the Las Flores Pipeline System was first submitted to the Office of Spill Prevention and Response on April 9, 2024 (Plan No. CA-00-7217). The Office of Spill Prevention and Response conducted reviews of the plan, and most recently required Sable and Pacific Pipeline Company to submit a revised plan by January 16, 2025 to include the identification of hazards associated with existing pipeline operations, to create a hazard summary section, and to

update pipeline spill trajectory information. Sable and Pacific Pipeline Company provided a revised plan on January 9, 2025, and is current waiting on final approval. The plans become effective upon submittal, and Sable and Pacific Pipeline Company are mandated to follow the most current version of the plans (i.e. the December 2024 version for Plan No. CA-00-7239 and the January 2025 version for Plan No. CA-00-7217, or any updated versions) if there is a spill pursuant to Title 14 of the California Code of Regulations, Section 820.1.

Operator Capability: Sec. 25B-10 (a)(9) Planning Commission Findings

7. Appeal Issue #7. Sable has not demonstrated that they have the financial resources necessary to operate the facilities, as they may run out of capital prior to restart.

The appellants state that Sable may run out of capital prior to restart as described in their Securities and Exchange Commission filings, demonstrating that they do not have the financial resources necessary to operate the facilities, and therefore County Chapter 25B finding 25B-10(a)(9) cannot be made.

Staff Response:

Finding 25B-10(a)(9) requires that the proposed operator has the skills, training, and resources necessary to operate the facility in compliance with County permits and County code, and has demonstrated the ability to comply with facility compliance plans. This finding is focused on the operator's technical skills and safety records, rather than their financial resource capabilities, which are outlined in separate findings 25B-9(a)(2), 25B-9(e)(1), and 25B-10(a)(2), and discussed under Appeal Issues # 1-3. As described in the Planning Commission Staff Report dated October 22, 2024, Sable's applications are consistent with the requirements of finding 25B-10(a)(9) regarding the operator's technical capabilities, staffing, safety, and incident records; therefore, staff maintains that finding 25B-10(a)(9) can be made.

Though not required for finding 25B-10(a)(9) and for information-only, as described in the Planning Commission Staff Report dated October 22, 2024, Sable states that it has sufficient capital to maintain operations, complete necessary repairs, and obtain regulatory approvals to restart production under its current cash balances. According to Sable's updated Securities and Exchange Commission filings dated November 2024, Sable has an unrestricted cash balance of approximately \$362.9 million dollars (Form 8-K, dated November 14, 2024). Sable states that the restart of production may occur in the first quarter of 2025, with projected capital expenditures of approximately \$125 million dollars at startup (Form 8-K, dated November 18, 2024), which would leave Sable approximately \$237.9 million dollars at restart. Once production restarts, Sable will increase their existing cash margins based on production and oil sales.

8. Appeal Issue #8. Sable has been issued Notices of Violation from state-regulators regarding the Las Flores Pipeline System, demonstrating that they cannot operate the facilities in compliance with required permits, rules, and regulations.

The appellants state that because state regulators have issued Notices of Violation to Sable for carrying out unpermitted construction on the Las Flores Pipeline System, Sable now has a record of non-compliance, and the County's Chapter 25B finding 25B-10(a)(9) cannot be made.

Staff Response:

Finding 25B-10(a)(9) requires that the proposed operator has the skills, training, and resources necessary to operate the facilities in compliance with County permits and County codes, and that the proposed operator does not reflect a record of non-compliant or unsafe operations that are systemic in nature and related to major incidents for similar facilities to those being considered for operatorship. Major incidents are defined by Chapter 25B as an oil spill of 50 barrels or more that escapes spill containment and enters the environment, one or more fatalities or serious injuries that require significant medical intervention to members of the public who were situated outside of the facility's premises when the incident occurred, evacuation of people outside the boundaries of the facilities from which the release occurred, or a fire that spread offsite. As described in Appeal Issue #5, as of the date the 25B Permit Amendment applications were deemed complete (July 30, 2024), the permittee was in compliance with all requirements of the Final Development Plan permits, and no notice of violation had been issued for any facility, meeting the compliance requirements of Chapter 25B. Regarding the proposed operator's safety records for similar facilities, as described in the October 22, 2024 Planning Commission Staff Report, Sable does not currently own or operate other facilities; however, Sable's executive management team did formerly own and operate similar facilities prior to Sable being formed, including Platform Irene and the associated Lompoc Oil & Gas Plant and Point Pedernales Pipelines, and Platforms Harvest, Hidalgo, Hermosa and the associated Gaviota Oil & Gas Plant and Point Arguello Pipelines in Santa Barbara County. Sable's executive management team also owned and operated similar oil and gas facilities and pipelines in the Permian and Delaware Basins in Texas. No major incidents occurred during the executive management team's operation of those facilities. Therefore, staff maintains that finding 25B-10(a)(9) can be made.

Outside of the Chapter 25B Permit Amendment process, and for information-only, following the February 14, 2024 acquisition of the SYU, POPCO, and Pacific Pipeline Company, Sable began to implement various state and federally-required directives to enhance safety measures on the Las Flores Pipeline System, including installing additional safety valves per the Office of the State Fire Marshal's Coastal Best Available Technology requirements, and conducting pipeline anomaly inspection and repairs under operation and maintenance requirements. Between September and December of 2024, certain state regulators, including the California Coastal Commission, the Central Coast Regional Water Quality Control Board, and the California Department of Fish and Wildlife, issued Sable notices of potential violations related to the above pipeline work. Planning and Development received copies of the Coastal Commission's and Water Board's letters, which direct Sable to submit Coastal Development Permit applications to the County of Santa Barbara and/or the Coastal Commission to authorize the anomaly inspection and repair work, and to enroll in a Water Board General Permit by January 13, 2025, respectively. In response to the Coastal Commission, the County understands that Sable and the Coastal Commission are in ongoing communications regarding the requirements to authorize the pipeline work. In response to the Water Board, Sable issued a letter stating that work is exempt from Water Board permit requirements, as it qualifies as routine maintenance for linear underground projects, and has requested that the Water Board withdraw their notice. Chapter 25B does not require that the

permittee be in compliance with non-County permits and regulations to approve the permit transfers.

Other Appeal Issues

9. Appeal Issue #9. The project is not exempt from CEQA.

The appellant claims that the permit transfers are subject to the California Environmental Quality Act, and that full environmental review should be conducted both for the permit transfers and for the restart of the facilities.

Staff Response:

CEQA Guidelines Section 15378(b)(5) specifically exempts “organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment” from environmental review. Processing the Chapter 25B Permit Amendment requests is an administrative action that would not result in any direct or indirect physical changes to the environment. No physical changes to the facilities, or modifications to facility operations would occur under this process; the actions are for the administrative transfer of County permits to a new Owner, Guarantor, and Operator only. Further, the County has historically considered all previously processed 25B Permit Amendments to not constitute as a “project”, including the 2005 and 2012 Change of Owner of the Sisquoc and Point Pedernales Pipelines, the 2014 Change of Owner and Guarantor of the Point Arguello and Point Pedernales Pipelines, and the 2023 Change of Owner, Operator, and Guarantor of the Las Flores Pipeline System. Therefore, staff maintains that the proposed actions are not subject to CEQA, as they do not constitute a “project”, as defined by CEQA Guidelines Section 15378(a).

Restart of the facilities is not a part of the Chapter 25B Permit Amendment process, nor would the transfer of permits facilitate restart. The three existing facilities are already permitted to operate under each issued Final Development Plan permit. Environmental review for the construction and operation of the facilities was previously conducted under facility-specific environmental documents, which were adopted during the original approval of the projects. Because the Chapter 25B Permit Amendments do not include any proposed physical changes to the facilities or modifications to the facility operations, no additional environmental review is required.

10. Appeal Issue #10. Restarting the Las Flores Pipeline System could result in a spill every year, and a rupture every four years, leading to an oil spill twice the size of the 2015 Refugio Oil Spill. Therefore, it would be irresponsible for the County to approve the permit transfers.

The appellants claim that according to the Administrative Draft EIR/EIS prepared for the former L901/903 Replacement Pipeline Project, spill and ruptures from operating the existing pipeline could occur every year to every four years, even with the installation of additional safety valves. The appellant claims that Sable intends to restart all facilities without correcting the issues that lead to the 2015 Refugio Oil Spill, and is seeking the State Waivers to operate the Las Flores Pipeline despite these issues.

Staff Response:

Approval of the Change of Owner, Operator, and Guarantor is limited to the County's ability to make the required findings outlined in Chapter 25B, which require facility fees to be paid, financial guarantees to be updated to reflect the new party, permit conditions to be accepted, copies of the most recent County-conducted safety audits to be provided, permit compliance to be met as of the date of application completeness, compliance plans to be submitted with updated emergency contact information, transitional plans to be submitted, emergency response drills to be conducted, and operator capability to be demonstrated. As discussed in this Board Letter and in the Planning Commission Staff Report dated October 22, 2024, staff maintains that all findings can be made.

Outside of the 25B Permit Amendment process, and for information only, the pipeline spill data the appellants cite is based on the Preliminary Administrative Draft EIR/EIS prepared for the now-withdrawn pipeline replacement project. The document was an internal working draft being prepared by the County's consultant in March of 2022, before it was finalized and reviewed by the County and circulated for public comment. Preliminary Administrative Draft documents are not typically released to the public, as they contain incomplete information still under development; however, the document was obtained by the appellant through a public records request. The document's draft spill data estimated that in a worst-case scenario, the existing pipeline could leak (a small, controlled release) every year, and rupture (a sudden large-scale break) every four years. The document clearly states that this data was estimated based on average national pipeline failure rates and adjusted to reflect a five-times increase in failure frequencies for pipelines that are not equipped with cathodic protection. In reality, the Las Flores Pipeline System is equipped with a cathodic protection system, and is subject to various state and federal safety requirements to avoid or minimize the effects of an oil spill. Sable is required to meet all pipeline safety conditions prior to restart, including those outlined in a federal Consent Decree, Office of the State Fire Marshal State Waivers and Coastal Best Available Technology regulations, among others. The County has no role or responsibility in overseeing or determining pipeline safety restart requirements.

11. Appeal Issue #11. Under the terms of the original permits, the County must require new or revised development plans, conditional use permits, and coastal development permits.

The appellant claims that the County must require new or revised permits for the facilities due to completed, underway, and planned modifications to the SYU facilities and Las Flores Pipeline System. Specifically, the appellant claims that restart of the pipeline system, the obtainment of State Waivers, and the installation of new safety valves on the pipeline are all modifications that would trigger the need for a new or revised Final Development Plan permit. Additionally, the appellant claims that upgrades, changes and repairs to the processing facilities, as well as plans for new drilling, acid well stimulation, extended reach drilling, and carbon storage at the SYU are also modifications that would require a new or revised permit.

Staff Response:

The Chapter 25B Permit Amendment process is separate from the County's Chapter 35 Zoning Code which governs the post-approval permitting process. A new or revised permit is not required

under Chapter 25B, as no physical changes to the facilities, or modifications to the facility operations which are under the County's permitting jurisdiction are proposed. The actions before the Board under these appeals are for the administrative transfer of County permits to a new Owner, Guarantor, and Operator only.

The facility permits do state that any new development, or modification of any procedures, operating techniques, or design specifications would not be permitted without a determination of substantial conformance with the approved development plans, or would require a new or modified permit (see SYU Condition 1-9, POPCO Condition A-7, and Las Flores Pipeline Condition A-7). However, any proposed new development or modifications to existing development would be processed under Chapter 35 of the County's Zoning Code, and not through the Chapter 25B Permit Amendment process. Under Chapter 35, none of the issues raised on appeal would require a substantial conformity determination, or new or revised permit from the County due to the following:

- As described under Appeal Issue #9, operation of the facilities was previously approved under the existing Final Development Plan permits. Restarting the facilities would be a continuation of already permitted operations, and would not require permit modifications.
- For the Las Flores Pipeline System, due to a 1988 Settlement Agreement between the County and one of the pipeline's predecessors, Celeron/All American, the County does not have the jurisdiction to regulate any aspect of the design, construction, or operation of the pipeline that is already covered under the Code of Federal Regulations Title 49 Part 195. The Settlement Agreement runs with the pipeline and any subsequent owners/operators. The Office of the State Fire Marshal is the regulatory authority responsible for the implementation of Title 49 Part 195 requirements. If any pipeline modifications triggering the County's permitting authority are required, they would be processed under Chapter 35 of the Zoning Code.
- For the onshore SYU facilities, there are no currently proposed modifications to the facility that would trigger the need for a County permit revision. Any future planned modifications or new development within the County's permitting authority would be subject to the standard post-approval permit process under Chapter 35 of the Zoning Code.

12. Appeal Issue #12. The County failed to ensure that the Las Flores Pipeline Restart Plans meet essential safety standards and comply with governing laws.

The appellants state that the County failed to ensure that the Las Flores Pipeline Restart Plans meet essential safety standards and comply with state and federal laws, even if these plans don't fall within the jurisdiction of the County's review.

Staff Response:

As described in this Board Letter, restart of the facilities is not a part of the Chapter 25B Permit Amendment process, nor would the transfer of permits enable restart. The three existing facilities are already permitted to operate under each issued Final Development Plan permit, and may restart production and transportation upon meeting local, state, and federal safety requirements outside of the County's Chapter 25B Permit Amendment process. Chapter 25B requires that the

acting Owner/Operator/Guarantor be in compliance with County-issued permits, ordinances, and regulations to approve County permit transfers.

Facility safety and restart activities are subject to significant regulatory oversight by various regulators outside of the County's jurisdiction. The Office of the State Fire Marshal is responsible for reviewing and approving the Las Flores Pipeline restart plans; the County has no jurisdiction over these plans.

For County compliance and oversight, during normal operations, the onshore SYU facilities and the POPCO Gas Plant are subject to annual safety audits under their respective Safety, Inspection, Maintenance and Quality Assurance Programs (see SYU Condition XI-2.a, and POPCO Condition P-2), which are overseen through the County's Systems Safety & Reliability Review Committee. Operations are also subject to other County compliance requirements through the Fire Department, Environmental Health's Certified Unified Program Agency, and the Air Pollution Control District, among others. Similarly, during normal operations, the Las Flores Pipeline System is subject to safety oversight through its Safety, Inspection, Maintenance and Quality Assurance Program (see Las Flores Pipeline Condition P-2), as well as compliance through other County departments.

13. Appeal Issue #13. The Planning Commission hearing was not fair and impartial, it lacked transparency, and it did not adhere to public process requirements.

The appellant states that Planning and Development did not provide key documents to the public or the Planning Commission, such as all the original development permits for the Las Flores Pipeline System, Sable's full insurance policies, fully-audited financial statements, or any findings the Office of Spill Prevention and Response made when issuing the Certificates of Financial Responsibility.

Staff Response:

As described in the Planning Commission Staff Report dated October 22, 2024, the 25B Permit Amendment requests followed all standard public noticing procedures in accordance with the County's Land Use Development Code Section 35.106.020 and Coastal Zoning Ordinance Section 35-181. Planning and Development staff maintains that they provided all relevant documents to make the necessary findings required by Chapter 25B, including the following:

- The Final Development Plan permits for all three facilities were included in Attachment B to the Planning Commission Staff Report dated October 22, 2024, with proposed changes clearly marked in underline and strikeout format. For the Las Flores Pipeline System, the project has an existing Final Development Plan permit, as well as individual Coastal Development Permits and Land Use Permits related to the original pipeline construction. Only the Final Development Plan permit was edited and included, as it acts as the main 'umbrella' permit for construction, operation, and abandonment of the pipeline system. The individual Coastal Development and Land Use Permits are limited to the original construction of the pipeline, and did not requiring editing. Per the appellant's requests, Planning and Development provided copies of all available County permits, including the original Coastal Development and Land Use Permits for the Las Flores Pipeline System to the Environmental Defense Center

on December 12, 2024 and January 7, 2025, and to the Center for Biological Diversity on January 7, 2025.

- The Applicant's Certificates of Insurance for the SYU offshore facilities were included as Attachment G to the Planning Commission Staff Report dated October 22, 2024. A discussion of the Certificates of Insurance in relation to required findings of Chapter 25B are discussed under Appeal Issue #3.
- The Applicant's financial statements as presented in their Securities and Exchange Commission filings and a discussion of how these statements relate to the required findings of Chapter 25B are discussed under Appeal Issue #7.
- A copy of the Certificate of Financial Responsibility for the SYU offshore facilities was included as Attachment H to the Planning Commission Staff Report dated October 22, 2024. A discussion of the certificate in relation to the required findings of Chapter 25B are discussed under Appeal Issue #1.

Findings and Conditions:

The Findings are included as Attachment A, and demonstrates that the applicant meets the findings of Chapter 25B that requires facility fees to be paid, financial guarantees to be updated to reflect the new party, permit conditions to be accepted, copies of the most recent County-conducted safety audits to be provided, permit compliance to be met as of the date of application completeness, compliance plans to be submitted with updated emergency contact information, transitional plans to be submitted, emergency response drills to be conducted, and operator capability to be demonstrated. Conditions of Approval for each Final Development Plan permit are included as Attachments B1 – B3. In accordance with Chapter 25B-7, conditions were revised to remove and replace the former permittee with Sable where appropriate. The term "permittee" was used for conditions that have already been satisfied (such as those relating to the construction of the facilities) in order to maintain the complete record of the permits.

Fiscal and Facilities Impacts:

Budgeted: Yes

The costs to process the appeals were borne by the Applicant through the payment of processing fees. Funding for these requests are budgeted in the Planning and Development's Permitting Budget Program on Page 317 of the County of Santa Barbara Fiscal Year 2024-25 Adopted Budget.

Special Instructions:

The Planning and Development Department will satisfy all noticing requirements. The Clerk of the Board shall forward the minute order to Planning and Development Department Hearing Support staff, to the attention of David Villalobos (dvillalo@countyofsb.org).

Attachments:

Attachment A – Findings

Attachment B – Conditions of Approval

- B-1. SYU FDP Permit No. 87-DP-32cz (RV06)
- B-2. POPCO Gas Plant FDP Permit No. 93-FDP-015 (AM03)
- B-3. Las Flores Pipeline System FDP Permit No. 88-DPF-033 (RV01)z, 88-CP-60 (RV01)(88-DPF-25cz;85-DP-66cz; 83-DP-25cz)

Attachment C – CEQA Notice of Exemption

Authored by:

Jacquelynn Ybarra, Senior Planner
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Attachment A – Findings

ATTACHMENT A: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

1.1 CEQA EXEMPTION

The Board of Supervisors finds that the Sable Offshore Corporation's Change of Owner, Operator, and/or Guarantor for the Santa Ynez Unit (SYU), Pacific Offshore Pipeline Company (POPCO) Gas Plant, and Las Flores Pipeline System Final Development Plan Permits are not subject to the requirements of the California Environmental Quality Act (CEQA), as they do not constitute a "project", as defined by CEQA Guidelines Section 15378(b)(5), as they consist of administrative activities of government that will not result in direct or indirect changes to the environment. Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

The Set Hearing Board Letter dated February 2, 2025, the Board Agenda Letter dated February 25, 2025, and the Planning Commission Staff Report dated October 22, 2024, including all of their attachments for the Sable Offshore Corporation's Change of Owner, Change of Guarantor, and Change of Operator for the SYU Permit No. 87-DP-32cz (RV06), the Change of Guarantor and Change of Operator for the POPCO Gas Plant Permit No. 93-FDP-015 (AM03), and the Change of Guarantor and Change of Operator for the Las Flores Pipeline System Permit No. 88-DPF-033 (RV01)z, 88-CP-60 (RV01) (88-DPF-25cz; 85-DP-66cz; 83-DP-25cz) are incorporated by reference herein.

2.1 CHANGE OF OWNER, OPERATOR, AND GUARANTOR FOR THE SANTA YNEZ UNIT ONSHORE FACILITIES, FINAL DEVELOPMENT PLAN PERMIT NO. 87-DP-32cz (RV06)

2.1.1 Findings required for Change of Owner

In compliance with Section 25B-9(a) of the County Code, prior to the approval of an application for a change of owner, the director shall make the following findings:

(1) Fees and Exactions. All outstanding county required fees and exactions due for the facility have been paid.

The requirements of this finding are satisfied. Planning and Development has verified with Accounting staff that no outstanding payments are due for the facility, or related planning and compliance cases.

(2) Financial Guarantees. All necessary insurance, bonds or other instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance have been updated, if

necessary, to reflect the new owner(s) and will remain in full effect following the ownership change.

The requirements of this finding are satisfied. Previously required bonds and endowments under the Santa Ynez Unit Final Development Plan Permit have been satisfied and none remain outstanding. Permit Condition No. XI-2.w requires the permittee to be responsible for the cleanup of all affected coastal and onshore resources, and for the successful restoration of all affected areas and resources to prespill conditions in the event of an accidental spill of crude oil or gas products processed at the facilities. The Condition states that the permittee shall provide the County with copies of its Certificates of Financial Responsibility related to its offshore Santa Barbara operations. The permittee provided a copy of its California Department of Conservation, Office of Spill Prevention and Response issued Certificate of Financial Responsibility to the County on October 3, 2024 (Certificate No. 2-2623-00-001), which meets the finding requirements to update instruments of financial responsibility to reflect the new Owner, Guarantor, and Operator. Permit Condition No. XIX-1 requires the permittee to be responsible for the proper abandonment of the facility, and that at the time of final abandonment, determined at a noticed public hearing, the County shall direct the permittee to either post a performance bond, or continue to pay property taxes until abandonment and site restoration is complete. Therefore, if the County directs the permittee to post a decommissioning performance bond, it will be done so at the determination of final abandonment. A decommissioning bond is not yet required to be submitted to the County as the facility has not been permanently shut-down.

(3) Acceptance of Permit. The proposed owner has provided a letter from a responsible official representing the proposed owner formally accepting all, conditions and requirements of the permit.

The requirements of this finding are satisfied. Sable provided a signed Agreement to Comply with Conditions of Approval dated March 14, 2024 accepting all conditions and requirements of the permit. The Agreement was recorded by the County Clerk-Recorder's office on September 13, 2024 as an official record. The Agreement is provided in Attachment D of the Planning Commission Staff Report dated October 22, 2024, and is included herein by reference.

(4) Facility Safety Audit. The current owner or operator has provided a copy of the most recent county-conducted comprehensive safety audit of the physical facility, along with a description of the status of implementing its recommendations, to the new or proposed new owner(s). A safety inspection maintenance and quality assurance program (SIMQAP) audit approved by the appropriate county official shall satisfy this requirement.

The requirements of this finding are satisfied. The most recent County-conducted safety audit of the Las Flores Canyon Facilities (SYU and POPCO Gas Plant) was conducted on July 16 -17, 2014 by the County's Systems Safety & Reliability Review Committee. The 2014 audit observed 62 items that needed to be addressed from minor housekeeping items, to items that would cause a low potential for serious personal injury, negative environmental impact, property damage, or hazardous material release. All items were addressed by September 11, 2015, except for minor repairs required on an evaporative cooler and a crude oil emulsion heater, which were subsequently repaired. Following the 2014 SIMQAP audit, the Las Flores Canyon Facilities were placed into a preserved state due to the 2015 Plains pipeline oil spill, which is the only currently permitted transportation method to transport crude oil from the SYU. On July 9, 2015, the System's Safety & Reliability Review Committee approved the deferral of annual SIMQAP audits until the Las Flores Canyon Facilities resume production. Sable has a copy of the 2014 audit and its recommendations, and continues to provide maintenance reports on the Las Flores Canyon Facilities to the System's Safety & Reliability Review Committee monthly.

(5) Compliance With Existing Requirements. As of the date that the application is deemed complete, the current owner(s) are in compliance with all requirements of the permit, including any requirement of a county-required safety audit, any notice of violation, and any county ordinance, or the current and proposed owner(s) have entered into a written agreement with the Director that specifies an enforceable schedule to come into compliance with such requirements.

The requirements of this finding are satisfied. The permittee is in compliance with all requirements of the Final Development Plan Permit and all County ordinances as of the date the application was deemed complete on July 30, 2024. Records of the most-recent safety audit were provided to the new owner, as described in Finding 2.1.1 (4) above. No County notice of violation had been issued for the facility at the time the applications were determined to be complete on July 30, 2024. No County permit compliance issues, or corrective actions that would require a written agreement with the Director were present at the time the applications were determined to be complete on July 30, 2024.

2.1.2 Findings required for Change of Guarantor

In compliance with Section 25B-9(e) of the County Code, prior to the approval of an application for a change of guarantor, the director shall make the following findings:

(1) Financial Guarantees. The proposed guarantor has provided all necessary instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance.

Sable is the Guarantor for the Santa Ynez Unit. The requirements of this finding are satisfied, as discussed under the similar finding for Change of Owner in Finding 2.1.1 (2).

2.1.3 Findings required for Change of Operator

In compliance with Section 25B-10 of the County Code, the planning commission shall approve an application for change of operator only if the planning commission makes the following findings.

(1) Fees and Exactions. All outstanding county required fees and exactions due for the facility have been paid.

Sable is the Operator of the Santa Ynez Unit. The requirements of this finding are satisfied, as discussed under the similar finding for Change of Owner in Finding 2.1.1 (1).

(2) Financial Guarantees. All necessary insurance, bonds or other instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance have been updated, if necessary, to reflect the new operator and will remain in full effect following the operator change.

The requirements of this finding are satisfied, as discussed under the similar finding for Change of Owner in Finding 2.1.1 (2).

(3) Acceptance of Permit. The proposed operator has provided a letter from a responsible official representing the proposed operator formally accepting all conditions and requirements of the permit.

The requirements of this finding are satisfied, as discussed under the similar finding for Change of Owner in Finding 2.1.1 (3).

(4) Facility Safety Audit. The current owner or operator has provided a copy of the most recent county-conducted comprehensive safety audit of the physical facility, along with a description of the status of implementing its recommendations, to the proposed new operator. A safety inspection maintenance and quality assurance plan audit approved by the appropriate county official shall satisfy this requirement.

The requirements of this finding are satisfied, as discussed under the similar finding for Change of Owner in Finding 2.1.1 (4).

(5) Compliance with Existing Requirements. As of the date that the application is deemed complete, the current operator is in compliance with all requirements of the permit, including any requirements of a county-required safety audit, any notice of violation, and any county ordinance, or the owner and proposed operator have entered into a written agreement with the director that specifies an enforceable schedule to come into compliance with such requirements.

The requirements of this finding are satisfied, as discussed under the similar finding for Change of Owner in Finding 2.1.1 (5).

(6) Compliance Plans. The current owner and proposed operator have updated, where applicable, any existing, approved safety inspection maintenance and quality assurance program, emergency response plan, fire protection plan, and oil spill contingency plan, or equivalent approved plans, with current emergency contact information pertaining to the new operator. The current owner and proposed operator have agreed in writing to revise all other plans required by the permit or any county ordinance, as necessary to reflect the change of operator, and to do so with sufficient diligence to obtain approval of the revised plans by the appropriate county official within six months after assuming operations.

The requirements of this finding are satisfied. All existing and approved safety inspection maintenance and quality assurance program, emergency response plan, fire protection plan, and oil spill contingency plan, or equivalent approved plans have been updated with the current emergency contact information pertaining to Sable. Secondary compliance plans required by the Final Development Plan permit have also been updated with the current emergency contact information pertaining to Sable. Compliance Plans subject to this finding include the following, and are outlined in Table 1.1 of the Planning Commission Staff Report dated October 22, 2024, and are included as Attachment F to the Planning Commission Staff Report dated October 22, 2024, and are incorporated by reference herein.

Plan Name	Santa Ynez Unit Final Development Plan Permit Condition	POPCO Final Development Plan Permit Condition
Emergency Response Plan	XI-2.c.	P-3
Fire Protection Plan	XI-2.i.	N-3
Groundwater Management Plan	XVI-1	-
Integrated Noise Monitoring Plan	XV-1	L-2
NGL Inventory Management Plan	VI	P-6
Preservation Plan	-	-
Santa Barbara Harbor Use Plan	X-19	-
Site Security Plan	XI-2.h.	-
SIMQAP	XI-2.a.	P-2
Surface Water Monitoring Plan	XVII-1	H-1
Transportation Risk Management and Prevention Program	VI	P-7

(7) Transitional Plan. The current owner or operator and proposed operator have submitted a transitional plan that will demonstrate the proposed operator shall receive adequate training, including by means of cross training by the current operator, where feasible, and shall have a good working knowledge of the crucial compliance plans listed in Sec. 25B-10.1.f before assuming control of operations. The plan has been approved by the director. The planning commission may exempt the current owner and proposed operator from this requirement, or portions thereof, for good cause.

The requirements of this finding are satisfied. Sable submitted a comprehensive Transition Plan describing the general strategy taken for the transition from ExxonMobil Corporation to Sable, a description of the facilities and general operating procedures, details on the staffing and support employees, and asset-specific training and general training conducted. To demonstrate a good working knowledge of the crucial compliance plans listed in County Code Chapter 25B-10.1.f, and listed above in Finding 2.1.3 (6), Compliance Plans were approved by Sable's senior staff and leadership employees, and were received and reviewed by Sable's field employees based on the applicability of each plan to the particular employee's responsibilities. Emergency Response-related plans were distributed to all staff and are routinely reviewed during safety meetings and scheduled emergency drills (see Finding 2.1.3[8] below). The Transition Plan, with a signed statement confirming the operator's adequate training and working knowledge of the facilities compliance plans, is included as Attachment E-1 to the Planning Commission Staff Report dated October 22, 2024, and is incorporated by reference herein.

(8) Emergency Response Plan Drills. The proposed operator has adequately performed one or more county approved emergency response plan drills necessary to respond to emergency episodes that may occur at the facility.

The requirements of this finding are satisfied. Sable submitted an updated Emergency Response Plan and staffing details for their Incident Management Team who run the response drills. Sable held a comprehensive emergency response drill on September 19, 2024 in coordination with the County Fire Department's Office of Emergency Services, and other regulatory agencies. The County Fire Department confirmed that the emergency response drill was completed in accordance with County requirements, and that no outstanding issues were identified.

(9) Operator Capability. The proposed operator has the skills and training necessary to operate the permitted facility in compliance with the permit and all applicable county codes and has a good working knowledge of the crucial compliance plans listed in Sec. 25B-10.1.f. The director shall require relevant records of compliance, and corrective actions taken subsequent to any major incidents for facilities, if

any, that are similar in nature to those that are the subject of the permit, as may be necessary to make findings. These records shall be used to provide sufficient assurance that the proposed operator does not reflect a record of non-compliant or unsafe operations systemic in nature for similar facilities to those being considered for operatorship.

The requirements of this finding are satisfied. As described in the Planning Commission Staff Report dated October 22, 2024 and included by reference herein, Sable was formed in October 2020 as an independent oil and gas company headquartered in Houston Texas as a special purpose acquisition company. Sable's Executive Management Team have managed oil and gas exploration and production businesses in the Pacific Ocean, the Gulf of Mexico, and onshore California for more than 30 years. Specific to Santa Barbara County, the Executive Management Team has successfully operated Platform Irene and the associated Lompoc Oil & Gas Plant and Point Pedernales Pipelines, and Platforms Harvest, Hidalgo, Hermosa and the associated Gaviota Oil & Gas Plant and Point Arguello Pipelines under former management of Plains Exploration and Production Company and Freeport-McMoRan, Inc. Sable's Upper Management Team have carried over from similar leadership roles at their previous companies, with an average of 31 years of experience operating oil and gas facilities within the County. Sable's Onsite Middle Management Team have all transferred over from similar roles at the Las Flores Canyon Facilities under ExxonMobil, with an average of 21 years of experience working at the facilities. Approximately 64 percent of the onsite facility employees have also transferred over in their same or similar capacity from ExxonMobil. These years of industry experience and high employee transfer rate from ExxonMobil demonstrates that Sable has the skills and training necessary to operate the permitted facility in compliance with the permit and all applicable county codes. All employees and management have been trained on the facility-specific Compliance Plans, as described in Findings 2.1.3 (6) and 2.1.3 (7) above, demonstrating that employees have a good working knowledge of the facility's crucial compliance plans. Sable has had zero major incidents involving crude oil and gas facilities within the U.S. while managing Sable Permian Resources from 2017 – 2021, FMOG from 2013 – 2017, and PXP from 2009 – 2013.

2.2 CHANGE OF OPERATOR AND GUARANTOR FOR THE PACIFIC OFFSHORE PIPELINE COMPANY GAS PLANT, FINAL DEVELOPMENT PLAN PERMIT NO. 93-FDP-015 (AM03)

2.2.1 Findings required for Change of Guarantor

In compliance with Section 25B-9(e) of the County Code, prior to the approval of an application for a change of guarantor, the director shall make the following findings:

- (1) Financial Guarantees. The proposed guarantor has provided all necessary instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance.*

The requirements of this finding are satisfied. No bonds are in place for the POPCO Gas Plant, nor are any currently required by the County permit or any County ordinance. Final Development Plan Permit Condition Q-2 requires the permittee to be responsible for the proper abandonment of the facility, and that a performance bond or other security device be in place immediately following the permanent shutdown of the facility. A performance bond, or other security device shall be posted by POPCO following permanent shut down of the facilities in accordance with an approved abandonment and restoration plan in effect at that time, in an amount determined by the County. A decommissioning bond is not yet required to be submitted to the County as the facility has not been permanently shut-down.

2.2.2 Findings required for Change of Operator

In compliance with Section 25B-10 of the County Code, the planning commission shall approve an application for change of operator only if the planning commission makes the following findings.

- (1) Fees and Exactions. All outstanding county required fees and exactions due for the facility have been paid.*

The requirements of this finding are satisfied. Planning and Development has verified with Accounting staff that no outstanding payments are due for the facility, or related planning and compliance cases.

- (2) Financial Guarantees. All necessary insurance, bonds or other instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance have been updated, if necessary, to reflect the new operator and will remain in full effect following the operator change.*

The requirements of this finding are satisfied, as discussed under the similar finding for Change of Guarantor in Finding 2.2.1 (1).

- (3) Acceptance of Permit. The proposed operator has provided a letter from a responsible official representing the proposed operator formally accepting all conditions and requirements of the permit.*

The requirements of this finding are satisfied. Sable provided a signed Agreement to Comply with Conditions of Approval dated March 14, 2024 accepting all conditions and requirements of the permit. The Agreement was recorded by the County Clerk-Recorder's office on September 13, 2024 as an official record. The Agreement is provided in Attachment D of the Planning Commission Staff Report dated October 22, 2024, and is included herein by reference.

(4) Facility Safety Audit. The current owner or operator has provided a copy of the most recent county-conducted comprehensive safety audit of the physical facility, along with a description of the status of implementing its recommendations, to the proposed new operator. A safety inspection maintenance and quality assurance plan audit approved by the appropriate county official shall satisfy this requirement.

The requirements of this finding are satisfied as discussed under the similar finding for the Santa Ynez Unit Change of Owner Finding 2.1.1 (4). The POPCO Gas Plant is subject to yearly County safety audits through its approved SIMQAP as overseen by the County's Systems Safety & Reliability Review Committee. The SIMQAP covers both the onshore Santa Ynez Unit facilities and the POPCO Gas Plant.

(5) Compliance with Existing Requirements. As of the date that the application is deemed complete, the current operator is in compliance with all requirements of the permit, including any requirements of a county-required safety audit, any notice of violation, and any county ordinance, or the owner and proposed operator have entered into a written agreement with the director that specifies an enforceable schedule to come into compliance with such requirements.

The requirements of this finding are satisfied. The current operator is in compliance with all requirements of the County permit and County ordinances as of the date the application was deemed complete on July 30, 2024. Records of the most-recent safety audit were provided to the new owner, as described in the similar finding for the Santa Ynez Unit Change of Owner Finding 2.1.1[4]. The safety audits for the SYU and the POPCO Gas Plant are incorporated together. No County notice of violation had been issued for the facility at the time the applications were determined to be complete on July 30, 2024. No County permit compliance issues, or corrective actions that would require a written agreement with the Director were present at the time the applications were determined to be complete on July 30, 2024.

(6) Compliance Plans. The current owner and proposed operator have updated, where applicable, any existing, approved safety inspection maintenance and quality assurance program, emergency response plan, fire protection plan, and oil spill contingency plan, or equivalent approved plans, with current emergency

contact information pertaining to the new operator. The current owner and proposed operator have agreed in writing to revise all other plans required by the permit or any county ordinance, as necessary to reflect the change of operator, and to do so with sufficient diligence to obtain approval of the revised plans by the appropriate county official within six months after assuming operations.

The requirements of this finding are satisfied as discussed under the similar finding for the Santa Ynez Unit Change of Operator Finding 2.1.3 (6). All POPCO Compliance Plans are integrated with the Santa Ynez Unit Compliance Plans, and have been updated to reflect the new operator's emergency contact information.

Plan Name	Santa Ynez Unit Final Development Plan Permit Condition	POPCO Final Development Plan Permit Condition
Emergency Response Plan	XI-2.c.	P-3
Fire Protection Plan	X1-2.i.	N-3
Groundwater Management Plan	XVI-1	-
Integrated Noise Monitoring Plan	XV-1	L-2
NGL Inventory Management Plan	VI	P-6
Preservation Plan	-	-
Santa Barbara Harbor Use Plan	X-19	-
Site Security Plan	XI-2.h.	-
SIMQAP	XI-2.a.	P-2
Surface Water Monitoring Plan	XVII-1	H-1
Transportation Risk Management and Prevention Program	VI	P-7

(7) Transitional Plan. The current owner or operator and proposed operator have submitted a transitional plan that will demonstrate the proposed operator shall receive adequate training, including by means of cross training by the current operator, where feasible, and shall have a good working knowledge of the crucial compliance plans listed in Sec. 25B-10.1.f before assuming control of operations. The plan has been approved by the director. The planning commission may exempt the current owner and proposed operator from this requirement, or portions thereof, for good cause.

The requirements of this finding are satisfied as discussed under the similar finding for the Santa Ynez Unit Change of Operator in Finding 2.1.3 (7). The Transition Plan for the SYU incorporates the POPCO Gas Plant, and describes the general strategy taken for the transition from ExxonMobil Corporation to Sable, a description of the facilities and general operating procedures, details on the staffing and support employees, and asset-specific training and general training conducted. To demonstrate a good working knowledge of the crucial compliance plans, Compliance Plans were approved by Sable's

senior staff and leadership employees, and were received and reviewed by Sable's field employees based on the applicability of each plan to the particular employee's responsibilities. Emergency Response-related plans were distributed to all staff and are routinely reviewed during safety meetings and scheduled emergency drills. The Transition Plan, with a signed statement confirming the operator's adequate training and working knowledge of the facilities compliance plans, is included as Attachment E-1 to the Planning Commission Staff Report dated October 22, 2024 and is incorporated by reference herein.

(8) Emergency Response Plan Drills. The proposed operator has adequately performed one or more county approved emergency response plan drills necessary to respond to emergency episodes that may occur at the facility.

The requirements of this finding are satisfied as discussed under the similar finding for the SYU Change of Operator in Finding 2.1.3 (8). The Emergency Response Plan drill for the POPCO Gas Plant is incorporated into the emergency drill for the SYU.

(9) Operator Capability. The proposed operator has the skills and training necessary to operate the permitted facility in compliance with the permit and all applicable county codes and has a good working knowledge of the crucial compliance plans listed in Sec. 25B-10.1.f. The director shall require relevant records of compliance, and corrective actions taken subsequent to any major incidents for facilities, if any, that are similar in nature to those that are the subject of the permit, as may be necessary to make findings. These records shall be used to provide sufficient assurance that the proposed operator does not reflect a record of non-compliant or unsafe operations systemic in nature for similar facilities to those being considered for operatorship.

The requirements of this finding are satisfied as discussed under the similar finding for the Santa Ynez Unit Change of Operator in Finding 2.1.3 (9). Operator capabilities for the POPCO Gas Plant are the same as for the Santa Ynez Unit. As described in the Planning Commission Staff Report dated October 22, 2024, approximately 64 percent of the onsite facility employees for the Santa Ynez Unit facilities and POPCO Gas Plant have transferred over in their same or similar capacity from ExxonMobil. These years of industry experience and high employee transfer rate demonstrates that Sable has the skills and training necessary to operate the permitted facility in compliance with the permit and all applicable county codes. All employees and management have been trained on the facility-specific Compliance Plans, demonstrating that employees have a good working knowledge of the facility's crucial compliance plans. Sable has had zero major incidents involving crude oil and gas facilities within the U.S. while managing

Sable Permian Resources from 2017 – 2021, FMOG from 2013 – 2017, and PXP from 2009 – 2013.

2.3 CHANGE OF OPERATOR AND GUARANTOR FOR THE LAS FLORES PIPELINE SYSTEM, FINAL DEVELOPMENT PLAN PERMIT NO. 88-DPF-033 (RV01)z, 88-CP-60 (RV01)(88-DPF-25cz;85-DP-66cz; 83-DP-25cz)

2.3.1 Findings required for Change of Guarantor

In compliance with Section 25B-9(e) of the County Code, prior to the approval of an application for a change of guarantor, the director shall make the following findings:

- (1) Financial Guarantees. The proposed guarantor has provided all necessary instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance.*

The requirements of this finding are satisfied. No current County-required bonds are in place for the Las Flores Pipeline System that require updates to reflect the new Guarantor. Previously required bonds under the Final Development Permit were limited to permit conditions relating to habitat restoration from the construction of the pipelines, and have been satisfied and released to the former Guarantor. Neither the Final Development Plan Permit nor County ordinance requires the permittee to submit other bonds, with the exception of a final abandonment decommissioning bond outlined in Condition O-1. At the time of final abandonment, the County will direct the permittee to post a decommissioning bond, or will direct the permittee to continue to pay property taxes until final abandonment and site restoration is complete. A decommissioning bond is not yet required to be submitted to the County as the facility has not been permanently shut-down.

2.3.2 Findings required for Change of Operator

In compliance with Section 25B-10 of the County Code, the planning commission shall approve an application for change of operator only if the planning commission makes the following findings.

- (1) Fees and Exactions. All outstanding county required fees and exactions due for the facility have been paid.*

The requirements of this finding are satisfied. Planning and Development has verified with Accounting staff that no outstanding payments are due for the pipeline system, or related planning and compliance cases.

- (2) Financial Guarantees. All necessary insurance, bonds or other instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance have been updated, if necessary, to reflect the new operator and will remain in full effect following the operator change.*

The requirements of this finding are satisfied, as discussed under the similar finding for Change of Guarantor in Finding 2.3.1 (1).

- (3) Acceptance of Permit. The proposed operator has provided a letter from a responsible official representing the proposed operator formally accepting all conditions and requirements of the permit.*

The requirements of this finding are satisfied. Sable provided a signed Agreement to Comply with Conditions of Approval dated March 14, 2024 accepting all conditions and requirements of the permit. The Agreement was recorded by the County Clerk-Recorder's office on September 13, 2024 as an official record. The Agreement is provided in Attachment D of the Planning Commission Staff Report dated October 22, 2024, and is included herein by reference.

- (4) Facility Safety Audit. The current owner or operator has provided a copy of the most recent county-conducted comprehensive safety audit of the physical facility, along with a description of the status of implementing its recommendations, to the proposed new operator. A safety inspection maintenance and quality assurance plan audit approved by the appropriate county official shall satisfy this requirement.*

The requirements of this finding are satisfied. Currently, there are no County-conducted safety audits of the Las Flores Pipeline System available, as the 1988 settlement agreement between the County and Celeron Pipeline Company/Getty Trading and Transportation Company determined that the County does not have the jurisdiction to regulate any aspect of the design, construction, or operation of the pipeline which was already covered under the Code of Federal Regulations, Title 49 Part 195 (*Transportation of Hazardous Liquids by Pipeline*). The Code of Federal Regulations requires that pipeline operators implement both internal and external audits. External safety audits for the Las Flores Pipeline System are conducted by the Pipeline and Hazardous Materials Safety Administration and the Office of the State Fire Marshal. The current owner, Pacific Pipeline Company has satisfied the County's requirement to provide the most recent audit information to Sable, including state and federal audit data from at least 2018 through 2023. A summary of audit data submitted to the County

in March of 2024 is presented in section 6.2.3, Table 3.1 of the Planning Commission Staff Report dated October 22, 2024, and is included by reference herein.

(5) Compliance with Existing Requirements. As of the date that the application is deemed complete, the current operator is in compliance with all requirements of the permit, including any requirements of a county-required safety audit, any notice of violation, and any county ordinance, or the owner and proposed operator have entered into a written agreement with the director that specifies an enforceable schedule to come into compliance with such requirements.

The requirements of this finding are satisfied. The current operator is in compliance with all requirements of the County Permit and County ordinances as of the date the application was deemed complete on July 30, 2024. Records of the most-recent state and federal safety audits were provided to the new owner, as described in Finding 2.3.2 (4) above. No County notice of violation had been issued for the facility at the time the applications were determined to be complete on July 30, 2024. No County permit compliance issues, or corrective actions that would require a written agreement with the Director were present at the time the applications were determined to be complete on July 30, 2024.

(6) Compliance Plans. The current owner and proposed operator have updated, where applicable, any existing, approved safety inspection maintenance and quality assurance program, emergency response plan, fire protection plan, and oil spill contingency plan, or equivalent approved plans, with current emergency contact information pertaining to the new operator. The current owner and proposed operator have agreed in writing to revise all other plans required by the permit or any county ordinance, as necessary to reflect the change of operator, and to do so with sufficient diligence to obtain approval of the revised plans by the appropriate county official within six months after assuming operations.

The requirements of this finding are satisfied. All existing and approved safety inspection maintenance and quality assurance program, emergency response plan, fire protection plan, and oil spill contingency plan, or equivalent approved plans have been updated with the current emergency contact information pertaining to Sable. Secondary compliance plans required by the Final Development Plan permit have also been updated with the current emergency contact information pertaining to Sable. Compliance Plans subject to this finding include the following, and are outlined in Table 3.2 of the Planning Commission Staff Report dated October 22, 2024, and are included as Attachment F to the Planning Commission Staff Report dated October 22, 2024, and are incorporated by reference herein.

Plan Name	Las Flores Pipeline Final Development Plan Permit Condition
Integrated Contingency Plan	G-1, P-3, P-5, P-9, P-14
Noise Monitoring Plan	N-1
Pump Station Fire Protection Plan	P-9
SIMQAP	P-2
Site Security Plan	P-6

(7) Transitional Plan. The current owner or operator and proposed operator have submitted a transitional plan that will demonstrate the proposed operator shall receive adequate training, including by means of cross training by the current operator, where feasible, and shall have a good working knowledge of the crucial compliance plans listed in Sec. 25B-10.1.f before assuming control of operations. The plan has been approved by the director. The planning commission may exempt the current owner and proposed operator from this requirement, or portions thereof, for good cause.

The requirements of this finding are satisfied. Sable submitted a comprehensive Transition Plan describing the background of the pipeline system, the general approach to the transition, details on staffing, and asset-specific training and general training conducted. Pacific Pipeline Company remains the legal owner of the pipeline system with Sable as operator. To demonstrate a good working knowledge of the crucial compliance plans listed in County Code Chapter 25B-10.1.f, and listed above in Finding 2.3.2 (6), Compliance Plans were approved by Sable’s senior staff and leadership employees, and were received and reviewed by Sable’s field employees based on the applicability of each plan to the particular employee’s responsibilities. Emergency Response-related plans were distributed to all staff and are routinely reviewed during safety meetings and scheduled emergency drills (see Finding 2.3.2 [8] below). The Transition Plan, with a signed statement confirming the operator’s adequate training and working knowledge of the pipeline’s compliance plans, is included as Attachment E-2 to the Planning Commission Staff Report dated October 22, 2024 and is incorporated by reference herein.

(8) Emergency Response Plan Drills. The proposed operator has adequately performed one or more county approved emergency response plan drills necessary to respond to emergency episodes that may occur at the facility.

The requirements of this finding are satisfied. Sable submitted an updated Incident Contingency Plan as part of their application materials, which combines the previously separate Emergency Response, Fire Protection, and Oil Spill Contingency Plans. Sable held a comprehensive emergency response training exercise and emergency response drill on July 25, 2024 with the County Fire Department's Office of Emergency Management, and other regulatory agencies. The Fire Department confirmed that the emergency response drill was completed in accordance with County requirements, and that no outstanding issues were identified.

(9) Operator Capability. The proposed operator has the skills and training necessary to operate the permitted facility in compliance with the permit and all applicable county codes and has a good working knowledge of the crucial compliance plans listed in Sec. 25B-10.1.f. The director shall require relevant records of compliance, and corrective actions taken subsequent to any major incidents for facilities, if any, that are similar in nature to those that are the subject of the permit, as may be necessary to make findings. These records shall be used to provide sufficient assurance that the proposed operator does not reflect a record of non-compliant or unsafe operations systemic in nature for similar facilities to those being considered for operatorship.

The requirements of this finding are satisfied. As described in the Planning Commission Staff Report dated October 22, 2024 and included herein by reference, Sable was formed in October 2020 as an independent oil and gas company headquartered in Houston Texas as a special purpose acquisition company. Sable's Executive Management Team have managed oil and gas exploration and production businesses in the Pacific Ocean, the Gulf of Mexico, and onshore California for more than 30 years. Specific to Santa Barbara County, the Executive Management Team has successfully operated Platform Irene and the associated Lompoc Oil & Gas Plant and Point Pedernales Pipelines, and Platforms Harvest, Hidalgo, Hermosa and the associated Gaviota Oil & Gas Plant and Point Arguello Pipelines under former management of Plains Exploration and Production Company and Freeport-McMoRan Oil and Gas. The Las Flores Pipeline System has five full-time employees in addition to contracted personnel and specialists who have extensive experience with both onshore and offshore pipelines. The combined years of experience of the pipeline operating team is 23 years, with many years of experience directly operating in Santa Barbara County. All management staff and employees have been trained on the facility-specific Compliance Plans. Sable has had zero major incidents involving crude oil and gas pipelines within the U.S. while managing Sable Permian Resources from 2017 – 2021, Freeport-McMoRan Oil and Gas from 2013 – 2017, and Plains Exploration and Production Company from 2009 – 2013. These years of industry experience with no major incidents demonstrates that Sable has the skills and training necessary to operate the pipeline system in compliance with the County permit and all applicable County codes. All

employees and management staff have been trained on the pipeline-specific Compliance Plans, as described in Findings 2.3.2 (6) and 2.3.2 (7) above, demonstrating that employees have a good working knowledge of the pipeline's crucial compliance plans.

Attachment B – Conditions of Approval

B-1. SYU FDP Permit No. 87-DP-32cz (RV06)

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 February 25, 2025 with the Change of Owner, Operator, and Guarantor to Sable
Offshore Corp)

These conditions of approval have been revised to list the new owner, guarantor, and operator, and remove all previous owners, guarantors, and operators that no longer serve such role. 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 February 25, 2025 with the Change of Owner, Operator, and Guarantor to Sable
Offshore Corp)

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**~~ExxonMobil~~ Santa Ynez Unit
Expansion Project
87-DP-32cz
Santa Barbara County Conditions of Approval
September 15, 1987
(Modified on July 25, 2001, ~~and February 19, 2003,~~ and February 25, 2025)**

I. GENERAL

Owner: Sable Offshore Company (Sable), a Delaware corporation, is the currently listed Owner of the Santa Ynez Unit.

Operator: Sable is the currently listed Operator of the facility.

Guarantor: Sable is the currently listed Guarantor for the facility.

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~~ the permittee (or successor) has applied for time extension. The decisionmaker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year.

If ~~ExxonMobil~~ the permittee 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~~ Sable 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~~ Sable 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~~ Sable of its obligation under this condition. County shall bear its own expenses for its participation in the action.

I-4. Costs of Implementing and Enforcing Conditions

The Director of the Planning and Development Department shall present to the Board of Supervisors a monitoring and enforcement plan which shall set forth the staffing requirements and materials reasonably necessary for such enforcement. ~~ExxonMobil~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ Sable 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~~ Sable's involvement in contractor selection, scope of work definition, and other such areas. The County shall consult with ~~ExxonMobil~~ Sable prior to authorization of major contractor activity which is reimbursable by ~~ExxonMobil~~ Sable.

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-Sable~~ 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~~ Sable 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 its successors and County on October 8, 1982 are incorporated into this permit as conditions with the same force and effect as other permit conditions contained herein. Both parties acknowledge and agree that as of the date of this permit approval the MOA II is in and remains in full force and effect. If any conditions contained herein are in conflict with provisions of MOA II, the conditions contained in this permit shall prevail.

I-9. Project Description and Modifications

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

I-10. Authority for Curtailment

In addition to the authority to enforce and secure compliance with the provisions of this permit under Division 11, Article III of Chapter 35 of the Santa Barbara County Code, the County Administrative Officer, or in his/her absence a designated appointee, may order that curtailment of activities which is required to protect the public health and safety. Said action may include, but is not limited to, ordering temporary, partial or total facility shutdown.

Such an order shall be made only in the event that the Administrative Officer has reasonable and probable cause to believe that continued unrestrained activities of permittee will likely result in or threaten to result in danger to public health, welfare, or safety, or the environment

and provided such violations can be expected to continue or recur unless operations are in whole or in part shut down or reduced pending the necessary corrections.

Before issuing any curtailment order, the County Administrative Officer shall set a time for hearing and shall give written notice of the time and place of the hearing and of the alleged violations. Such notice shall be given to the person in charge of the operation of the facility at least 24 hours before the hearing at which time there will be an opportunity for all concerned parties to present evidence regarding the alleged violations. The notice may be served in person or by certified mail.

In the event the Administrative Officer, or in his/her absence, the designated appointee, determines that there is an imminent danger to the public health and safety resulting from violations, he may summarily order the necessary curtailment of activities without prior notice and hearing and such order shall be obeyed upon notice of same, whether written or oral. At the same time that notice of the order is conveyed, the Administrative Officer shall set a date, time and place for a publicly noticed hearing and review of said order as soon as possible which date shall be no later than 48 hours after such order is issued or served. Said hearing shall be conducted in the same manner as a hearing on prior notice. After such hearing, the Administrative Officer may modify, revoke, or retain the emergency curtailment order.

Any order of the Administrative Officer may be appealed to the Board of Supervisors within three working days after such order is made or notice of such order is given, whichever later occurs. Procedures for such appeal shall be those procedures described in Santa Barbara County Zoning Ordinance Article III, Sections 35-327.3.2 through 35-327.4.

If such appeal is not filed with the Board of Supervisors, the Administrative Officer's order becomes final. If there is an appeal, the order of the Administrative Officer shall remain in full force and effect until action is taken by the Board of Supervisors. The decision of the Board of Supervisors shall be final.

Once ~~ExxonMobil~~ Sable 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~~ the permittee shall submit as-built drawings of that component to County. ~~ExxonMobil~~ The permittee shall submit as many sets of drawings (up to ten sets) as requested by the Public Works Department. ~~ExxonMobil~~ The permittee 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~~ the facilities. This declaration of strict liability and the limitations upon it shall be governed by the applicable laws of California on strict liability. For the purpose of this condition, the "facility" shall be deemed to include all facilities described and approved pursuant to 86-DP-51cz and 85-CP-16cz as amended pursuant to 87-DP-32cz. This condition shall not inure to the benefit of any of the owners or users of the ~~ExxonMobil~~ facility, including the United States Government. *(Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)*

I-15. Injunctive Relief

The County may seek and obtain temporary, preliminary, and permanent injunctive relief to prohibit violation of the conditions set forth herein or to mandate compliance with the conditions herein.

All remedies and enforcement procedures set forth herein shall be in addition to any other legal or equitable remedies provided by law.

I-16. Failure to Comply

In the event that ~~ExxonMobil~~ Sable 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~~ Sable's obligation to reimburse the County of Santa Barbara (and others) for actual damages suffered as a result of ~~ExxonMobil's~~ Sable'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~~ Sable has continued to fulfill its agreements under this permit.

I-20. DELETED

I-21. Written Acceptance of the Final Development Plan

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

I-22. DELETED

I-23. DELETED "~~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~~ Sable 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~~ Sable that the SSRRC review will be completed within a specified period, as warranted by sound engineering practices. *(Modified May 4, 1994; II-2 Review)*

II-2. Condition Effectiveness Review

If at any time County determines that the mitigations imposed by these permit conditions are inadequate to fully mitigate significant environmental impacts identified in the ~~ExxonMobil~~ SYU EIS/R (83-EIR-22) and its supplements, other than air quality impacts, caused by the Santa Ynez Unit project, then additional reasonable and feasible conditions shall be imposed to further mitigate these identified impacts. ~~ExxonMobil~~ Sable 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~~ Sable from vesting rights under this permit as provided under law.

II-3. DELETED

II-4. DELETED

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

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

II-6. Consolidated Marine Terminal Feasibility Demonstration

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

III. MANAGEMENT

III-1. Environmental Quality Assurance Program

Prior to approval of the Final Development Plan, ~~ExxonMobil~~ the permittee 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~~ the permittee 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 permittee. The approved program shall be implemented by ~~ExxonMobil~~ the permittee prior to construction and shall be amended as required and approved by the Director of the Planning and Development Department annually.

III-2. 24-Hour Emergency Contact

Prior to issuance of any Land Use Permits or Coastal Development Permits, ~~ExxonMobil~~ the permittee 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~~ Sable 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~~, Sable, ~~ExxonMobil~~ Sable 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~~ the permittee 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~~ The permittee shall cooperate with Southern California Edison (SCE) in the undergrounding of power lines on ~~ExxonMobil~~ the permittee's property between the regional transmission line and the SCE substation, should the County require such undergrounding of SCE.

~~ExxonMobil~~ The permittee 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~~ The 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee shall obtain Planning and Development Department approval of a landscape and irrigation plan, which has been reviewed by ~~the ExxonMobil~~ a 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~~ the permittee demonstrates to the satisfaction of the Director of Planning and Development Department (P&D), in consultation with a qualified biologist selected by and under contract to the County, that environmental impacts will not be increased as a result of grading at other times. Pipeline construction grading in the State Parks shall only occur during the winter months. Grading outside of the riparian area may occur year-round provided sediment catch basins, which have been approved by the Public Works Department, are installed prior to grading.

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

IV-B.4. Storm Drainage Plan

Prior to issuance of any Land Use Permits or Coastal Development Permits, ~~ExxonMobil~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ Sable 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~~ the permittee 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~~ the 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~~ the permittee 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~~ the permittee shall submit a plan approved by the Director of the Planning and Development Department demonstrating that ~~ExxonMobil~~ the permittee 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~~ Sable shall restore the area.

This plan shall be implemented for onsite spills, and offsite spills, including marine terminal accidents and accidents involving marine vessels serving ~~ExxonMobil~~ the permittee. (Note: Those portions of the SYU FDP permitting construction and operation of the marine terminal were extinguished on April 1, 1994; see Condition IX-2.)

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

IV-E.4. Contribution to Beach Pilings Removal

Prior to approval of the Final Development Plan, ~~ExxonMobil~~ the permittee 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~~ The permittee 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~~ the permittee shall ensure that there is adequate vertical access to the beach adjacent to the project site. ~~ExxonMobil~~ The permittee 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~~ the permittee 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~~ The permittee shall submit photo documentation of the physical condition of the bike path before and after access to the south manhole tunnel. ~~ExxonMobil~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ the property consistent with Santa Barbara County policies, ~~ExxonMobil~~ the permittee is allowed to size the cogeneration plant at 49 megawatts with 90 percent NO_x control.

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

VI-2. NGL Blending and Transportation

All natural gas liquids (NGLs), including liquified petroleum gases (LPGs), processed by ~~ExxonMobil's~~ the 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~~ the permittee 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~~ the permittee 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~~ The permittee shall obtain Planning and Development Department approval of a plan detailing how ~~ExxonMobil~~ they 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~~ the permittee shall import NGLs from the POPCO Las Flores Canyon Gas Plant to ~~ExxonMobil's~~ the 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~~ The permittee 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~~ the permittee is permitted to import NGLs from the POPCO Las Flores Canyon Gas Plant to ~~ExxonMobil's~~ the 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~~ the 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~~ the 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~~ The permittee 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~~ the permittee shall construct and operate a pipeline, or use a pipeline constructed and operated by others, that connects POPCO's facilities to ~~ExxonMobil's~~ the SYU 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~~ the permittee 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~~ The permittee 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~~ Sable 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~~ Sable 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~~ Sable 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~~ the permittee 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~~ Sable 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~~ Sable 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee shall submit a Recycling Feasibility Analysis for County review and comment. The analysis shall clearly demonstrate and document inquiries made by ~~ExxonMobil~~ the permittee 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~~ the permittee 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~~ The permittee shall allow only those shippers holding valid County permits to use the marine terminal facilities. Prior to construction of the marine terminal, ~~ExxonMobil~~ the permittee 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~~ Marine terminal 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~~ the permittee 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~~ the permittee constructs the LFCCMT, ~~ExxonMobil~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee exceeds the valuation of the impacts at issue, ~~ExxonMobil~~ the permittee shall be granted a credit against any other current or future mitigation fees imposed on ~~ExxonMobil~~ the permittee for this permit by the County. ~~ExxonMobil~~ The permittee 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~~ the permittee, 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~~ The permittee 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~~ the permittee.

~~ExxonMobil~~ The permittee 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~~ the permittee 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~~ the permittee shall make a donation to California State Parks for development of up to 20 new campsites to offset their worker use of these sites during the summer months. This donation shall be the State Parks estimated cost per developed campsite multiplied times the projected worker impact of up to 20 campsites. The total cost of this donation shall depend on the level of impact and shall be determined by County, in consultation with State Parks, after the first 6 months of construction and submitted to the State Parks Department. This determination shall be made using information supplied pursuant to condition X-5, and shall be based on the total number of ~~ExxonMobil~~ Santa Ynez Unit project workers using State Park campsites on the South Coast, averaged over the six-month period.

X-2. Low and Moderate Income Housing

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

X-3. Local Labor Pool

~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ SYU 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~~ the permittee. ~~ExxonMobil~~ The permittee 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 the permittee 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~~ the permittee 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~~ The permittee 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 SYU~~ and cumulative projects. ~~ExxonMobil-USA~~ The permittee 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~~ the Santa Ynez Unit Project socioeconomic permit condition X-4.

3. Administrative Costs

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

X-5. Temporary Housing Plan

Prior to approval of the Final Development Plan, the applicant shall submit to the County Department of Regional Programs and Planning and Development Department a plan for approval which details for each quarter of construction, how the housing needs of temporary

construction workers can be provided for through the private market place, without adversely impacting existing housing supplies. This plan, to be implemented by ~~ExxonMobil~~ the permittee, shall demonstrate how ~~ExxonMobil~~ the permittee 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~~ The permittee shall provide information, on a semi-annual basis, through the SEMP, demonstrating that the housing needs of direct construction workers are being adequately provided for through the private marketplace without adversely impacting existing housing supplies, visitor-serving facilities or the environment.

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

X-6. Oil-Related Job Training Programs

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

X-7. DELETED

X-8. Coastal Resource Enhancement Fund

~~ExxonMobil~~ Sable 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~~ Sable'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~~ The permittee 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~~ the permittee'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~~ the facilities shall comply with this condition to the extent that the additional use induces additional water demand.

X-10. Notice of Construction to Commercial Fishermen

Not less than 30 days before commencing any construction activities, ~~ExxonMobil~~ the permittee 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~~ Wildlife. 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~~ the permittee 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~~ the permittee 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~~ the permittee shall take the following steps to avoid/reduce conflicts with commercial fishermen:

1. ~~ExxonMobil~~ The permittee shall review design concepts and installation procedures with JOFLO to minimize impacts to commercial fishing to the maximum extent possible.
2. ~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ Sable 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~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee shall require the contractor to recover such supports prior to demobilization.

~~ExxonMobil~~ the permittee 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~~ The permittee shall require all offshore personnel to view the Western States Petroleum Association Fisheries and Wildlife Training Program. *(Added February 19, 2003; Offshore Power Cable Repair & Enhancement Project.)*

X-16. Fisheries Enhancement Fund

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

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

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

X-17. Industrial Use of Recreational Piers

The use of recreational piers for industrial purposes shall be prohibited except during emergencies unless it is demonstrated by the operator that there is no conflict with recreational uses. If recreational piers are requested to be used by ~~ExxonMobil~~ the permittee 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~~ the permittee 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~~ the permittee shall provide plans to the Department of Regional Programs and Planning and Development Department for approval demonstrating that adequate parking is available and that necessary ride-pooling and/or shuttle buses from offsite parking area(s) to the site are provided.

X-21. Traffic Mitigation Fees

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

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

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

If said payment has not been made within one year of approval of the Final Development Plan, the amount of said payment shall be adjusted by the amount equal to the change in the construction cost index for the preceding year, or increased to the then current fee adopted by the Board of Supervisors, whichever most closely reflects actual costs.

X-22. Highway 101 Demand Mitigation Plan

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

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

In the event that state and/or federal revenue sharing legislation directed at distributing oil related revenues to state or local governments is approved or Santa Barbara County levies a tax (special or otherwise) on oil and/or gas processed or transported under this permit, then any condition herein requiring payment of money or other items of value by ~~ExxonMobil~~ the permittee 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 permittee 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~~ Sable. ~~ExxonMobil~~ Sable shall be entitled to participate in the review process.

Pursuant to Condition II-1, ~~ExxonMobil~~ the permittee 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~~ The permittee 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~~ the permittee, and the permittee 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~~ the permittee 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~~ the permittee shall incorporate modifications approved by the County which shall eliminate identified safety problems and provide for adequate inspection and maintenance. ~~ExxonMobil Sable~~ shall implement the approved plan and shall provide for County staff or its consultants involvement in all inspections.

~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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 Sable~~ 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 Sable~~ 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 Sable~~ 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee shall prepare a project-specific Oil Spill Response Plan (OSRP) that clearly identifies the responsibilities of contractor and ~~ExxonMobil~~ SYU 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~~ The permittee 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~~ the permittee shall conduct a boom deployment drill prior to commencement of power cable removal and installation operations. ~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ The permittee shall de-energize the cables and shutdown the oil and gas pipelines in the tunnel during cable pulling operations in the tunnel, unless ~~ExxonMobil~~ the permittee 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~~ the permittee 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~~ Sable 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~~ the permittee 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~~ The permittee 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~~ Sable 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~~ The permittee 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~~ The permittee 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~~ Sable 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~~ Sable 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~~ Permittee representative.
- 3) ~~ExxonMobil~~ The permittee 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~~ The permittee 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 permittee, 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ the SYU facility shall be equipped with functioning compass, echo sounder, radar, doppler sonar, VHF radio, RDF, anemometer and equipment for short-range position fixing.

~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ the SYU 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~~ the permittee.

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

~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ Sable 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~~ Sable 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~~ Sable 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~~ Sable shall be

responsible for cleanup of any spills caused by other parties in service to ~~ExxonMobil~~ Sable at the time of the spill.

~~ExxonMobil~~ Sable 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~~ Sable shall demonstrate to the County that ~~ExxonMobil~~ Sable 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee shall provide final design deliverables that document the interdependence between the facilities (POPCO and ~~ExxonMobil~~ SYU) 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~~ SYU 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~~ SYU TGPU;
- Preparation of operating and commissioning procedures; and,
- Operator training and cross training.

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

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

XI-6. Critical Operations and Curtailment Plan

~~ExxonMobil~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ SYU property.

XII-5. Construction Curtailment Plan

Prior to approval of the Final Development Plan, ~~ExxonMobil~~ the permittee 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~~ the SYU 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~~ The permittee 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~~ the permittee 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~~ the permittee shall implement the appropriate air pollution curtailment plan as directed by the Air Pollution Control Officer.

XII-6. Ambient Air Quality Monitoring Stations

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

XII-17. Air Quality Standards Compliance Plan

Prior to approval of the Final Development Plan, ~~ExxonMobil~~ the permittee 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~~ SYU/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 DeNO_x for the waste gas incinerator and (b) the use of low emission valves and tighter leak standards (100 ppmv) for piping components in reactive organic hydrocarbon service.

XII-19. Dust Generation Control

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

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During onshore construction of the Synergy Project and/or the OPSR:A Project, water trucks shall be used as necessary to keep all areas of vehicle movement damp enough to minimize dust leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. Plan Requirements: This condition shall be conveyed to all applicable contractors in construction contracts.

MONITORING: EQAP monitor to spot check in the field.

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

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

XII-20. Emissions Reporting Plan

~~ExxonMobil~~ The permittee 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. NO_x 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~~ the permittee as appropriate.

XII-24. Emissions Contingency Plan

~~ExxonMobil~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee'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~~ the permittee. 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~~ the permittee 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~~ the permittee 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~~ the permittee, 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~~ the permittee 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 permittee, the Planning and Development Department, and those affected Chumash bands. Should ~~ExxonMobil~~ the permittee 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~~ The permittee's

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~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee'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~~ the permittee 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~~ the permittee'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~~, the permittee 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~~ The permittee 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~~ the permittee 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~~ the 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~~ the permittee 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~~ The permittee 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~~ the permittee shall, in consultation with the State Department of Fish and ~~Game~~ Wildlife, 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~~ the permittee 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~~ the permittee to mitigate significant avoidable detrimental effects to the flora and fauna of the property, ~~ExxonMobil~~ The permittee 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~~ Wildlife. (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~~ Wildlife 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~~ the permittee 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~~ Wildlife based upon the results of the post-construction survey.

XIV-7b. Marine Mammal Monitoring Plan

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

1. A minimum of two NMFS-qualified marine mammal observers shall be located on the cable-lay vessel to conduct observations, with at least one observer on duty during all cable-laying activities.
2. Shipboard observers shall fax a daily sighting report to NMFS and MMS. This report shall be used to determine whether observable effects to marine mammals are occurring.
3. The observers shall have the appropriate safety and monitoring equipment to conduct their activities (including night-vision equipment).
4. The observers shall set a 1,640-ft (500-m) hazard zone around the cable-lay vessel for the protection of large marine mammals (i.e., whales) and shall have the authority to stop any activity if it appears likely that a whale could enter the hazard zone.
5. ~~ExxonMobil~~ The permittee 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~~ the permittee's 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~~ the permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee shall implement the procedures under the supervision of the monitoring biologist.

XIV-10. Prevention of Livestock in Riparian Corridors

~~ExxonMobil~~ Sable shall prevent domestic livestock from entering the riparian corridors on ~~ExxonMobil~~ SYU 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee's safety requirements.

4. ~~ExxonMobil~~ The permittee 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 CDFGW 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~~ The permittee 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~~ the permittee shall contact NMFS and shall have a qualified biologist move the abalone pursuant to procedures reviewed and approved by MMS, NMFS, CDFGW, and SBC or the agencies with jurisdiction agree to another appropriate alternative.
7. ~~ExxonMobil~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ Sable 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~~ the permittee 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~~ the permittee shall submit to the Director of the Health Care Services Department and the Director of the Planning and Development Department procedures that ~~ExxonMobil~~ the permittee 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~~ The permittee 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~~ the permittee 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~~ the permittee 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~~ Sable 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~~ the permittee 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 permittee. 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 Sable~~ 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ the permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ The permittee 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~~ the permittee. ~~ExxonMobil~~ The permittee 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-Sable~~ 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~~ Sable 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~~ The permittee 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~~ the permittee 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.)*

Attachment B – Conditions of Approval

B-2. POPCO Gas Plant FDP Permit No. 93-FDP-015 (AM03)

CONDITIONS OF APPROVAL

**POPCO GAS PLANT EXPANSION
Final Development Plan (93-FDP-015) and
Conditional Use Permit Revision (74-CP-11RV1)
Annual Throughput Increase (93-DPF-015RV01)
POPCO Synergy Project (93-FDP-15RV02)
Daily Throughput Increase (93-DP-015AM03)
(Modified on June 17, 2002)**

(Modified on February 25, 2025 with the Change of Operator and Guarantor to Sable Offshore Corp)

These conditions of approval have been revised to list the new owner, guarantor, and operator, and remove all previous owners, guarantors, and operators that no longer serve such role. Text that has been added is shown in underline, and text that has been removed is shown in ~~strikeout~~.

Note: The following is a complete set of conditions for the POPCO Gas Plant. New or modified condition language recommended for the ExxonMobil/POPCO Synergy Project appears as bold and strike-through text.

**POPCO GAS PLANT EXPANSION
CONDITIONS OF APPROVAL
93-FDP-015, 74-CP-11(RV1) 93-DPF-015(RV01), & 93-FDP-015 (RV02)**

November 2, 1994

(As modified September 29, 1995)

(As modified March 24, 1997)

(As modified August 25, 1999)

(As modified July 25, 2001)

(As Modified February 25, 2025 with the Change of Operator and Guarantor to Sable Offshore Corp)

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A. GENERAL

- Owner:** Pacific Offshore Pipeline Company, a California corporation and wholly owned subsidiary of ~~Exxon Mobil Corporation~~ Sable Offshore Corporation (Sable), is the currently listed ~~sole~~ owner of the POPCO facilities.
- Operator:** ~~Pacific Offshore Pipeline Company and ExxonMobil Production Company ("ExxonMobil"), a division of Exxon Mobil Corporation, are the approved operators of the facilities. ExxonMobil has day to day operational responsibilities under a Continuing Services Agreement with POPCO. Sable is the currently listed Operator of the facility.~~
- Guarantor:** ~~Pacific Offshore Pipeline Company~~ Sable is the currently listed Guarantor for the facilities.
(Adopted July 2, 2003, pursuant to Sec. 25B-4 of the Santa Barbara County Code.)

A-1. Project Description

This Final Development Plan, 93-FDP-015 as revised on August 25, 1999 (RV01), July 25, 2001 (RV02) and June 17, 2002 (AM03) and Conditional Use Permit (CUP) approval, 74-CP-11 RV1 (collectively referred to as the "FDP"), is based upon and limited to the project described in the FDP application including subsequent approved modifications, the EIR project description including subsequent additions, CEQA analysis and current conditions of approval as set forth below. This FDP supersedes the previous permits as listed in condition A-19 of this permit.

In summary, the project description is as follows (see 94-EIR-002, application 93-FDP-015 and 93-FDP-015(RV01) for a complete project description):

- Expansion of the existing POPCO gas processing facility to enable the processing of an annual average inlet (raw) gas rate of 75 MMSCFD and a daily maximum of 75 MMSCFD inlet (raw) gas on any given day. **At no point over the course of the day may more than 80 MMSCFD of gas be processed through the gas plant. In addition, the maximum daily rate of 80 MMSCFD is allowed only under the existing facility configuration as of May 2002 (i.e., pre-Process Synergy configuration). Upon commencement of the Process Synergy Project, the maximum daily rate reverts to 75 MMSCFD.**

The expansion shall be accomplished as follows:

- Addition of a liquid oxygen system including a storage tank (LOX system) to the Sulfur Recovery Unit;
- Addition of twenty-four additional pieces of equipment to the facility (listed in Attachment D to the October 5, 1994 staff report for the expansion project);
- Changing the solvent used in the sour gas treating process if hydrogen sulfide (H₂S) concentrations approach the design basis of the plant.

In order to accommodate the gas plant expansion, the volume of sour gas transported to POPCO's gas processing facility via the 12" offshore-to-onshore pipeline will increase. The pipeline is limited to a physical design capacity of 90 MMSCFD. With the expansion, the pipeline could transport up to 75 MMSCFD of sour gas for processing at POPCO on a stream-day basis, plus 15 MMSCFD of sour gas to ~~Exxon's~~ the Stripping Gas Treating Plant, via the existing sour gas interconnect pipeline, for a total throughput of 90 MMSCFD.

POPCO shall obtain a new or modified permit, or substantial conformity determination prior to undertaking any of the following activities which may, in the judgment of the County, result in significant changes to the impacts of the project evaluated by the County: 1) pipeline or plant modifications; 2) changes in pipeline

throughput; and, 3) introduction of gas, raw or treated, to the pipeline or processing plant from sources other than the Santa Ynez Unit.

The project description for the Process Synergy Project is revised as follows (see 00-ND-25, application 93-FDP-15 (RV02) for a complete project description):

- **Processing of SYU acid gas at POPCO Sulfur Recovery Unit.**
 - **New acid gas piping from SYU to POPCO Sulfur Recovery Unit.**
 - **New bypass line around POPCO Sulfur Recovery Unit.**
 - **Processing of POPCO Tail Gas at SYU Tail Gas Cleanup Unit.**
 - **New tail gas piping from POPCO to SYU Flexsorb Tail Gas Cleanup Unit.**
 - **Removal of POPCO Stretford Tail Gas Cleanup Unit from service.**
 - **Decommissioning of two POPCO process steam boilers.**
 - **New steam and steam condensate piping between POPCO and SYU Cogeneration Plant.**
 - **New byproduct hydrocarbon gas piping from POPCO to SYU recovery system**
 - **Routing of POPCO wastewater to SYU wastewater treating system.**
- (Modified July 25, 2001; 93-FDP-015 (RV02))**

A-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.

A-3. Court Costs

POPCO agrees as a condition of the issuance and use of this permit to defend at its sole expense any action brought against the County by a third party challenging either its decision to issue this permit or the manner in which the County is interpreting or enforcing the conditions of the permit. POPCO shall reimburse the County for any court costs and attorneys fees which the County may be required by a court to pay as a result of such action where POPCO defended or had control of the defense of the suit. County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve POPCO of its obligation under this condition.

A-4. Cost of Implementing and Enforcing Conditions

The County's permit compliance program for oil and gas projects requires each permit holder to fund County monitoring of each permit holder's compliance efforts. This condition, along with Condition C-1, shall serve as implementation of the EIR Mitigation Monitoring Program in 94-EIR-002 for 93-FDP-015 and 74-CP-11RV1. POPCO agrees to participate in this permit compliance program and to fund all reasonable expenses incurred by the County and/or County contractors for permit condition implementation, reasonable studies, and emergency response directly and necessarily related to monitoring and enforcement of these permit conditions and applicable County ordinances. POPCO shall provide a deposit for these expenses and shall reimburse County within 30 days of invoicing by County.

A-5. Failure To Comply

In the event that POPCO fails to comply with any order of the Santa Barbara County Administrator 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 to the extent imposition of such civil penalty is authorized by applicable laws, rules, or regulations.

Said civil penalty shall be in addition to POPCO's obligation, if any, to reimburse the County of Santa Barbara (and others) for actual damages suffered as a result of POPCO's failure to abide by the conditions of this permit or by the orders of the County Administrator, the Board of Supervisors, or any court of competent jurisdiction.

A-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 agent, POPCO 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 POPCO in writing.

A-7. Compliance With Final Development Plan Conditions

The procedures, operating techniques, design, equipment and other descriptions (hereinafter procedures) described by POPCO in: (1) its FDP application to the County 93-FDP-015/74-CP-11RV1, and in subsequent clarifications and additions to that application; (2) this Final Development Plan 93-FDP-015 and Conditional Use Permit 74-CP-11RV1; and (3) as described in 94-EIR-002 (including the existing POPCO facility project description) and any subsequent environmental review, are incorporated herein as permit conditions and shall be required elements of the project. 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. Deviations from the project description, environmental review or conditions of approval may require further environmental review and a modification to 93-FDP-015 and/or 74-CP-011RV1. Therefore, modifications of these procedures will not be permitted without a determination of substantial conformity or a new or modified permit. The use of the property and the size, shape, arrangement and location of buildings, structures and landscaped areas shall be in substantial conformity with the approved Final Development Plan 93-FDP-015 and Conditional Use Permit 74-CP-11RV1 and approved modifications to it.

A-8. Authority For Curtailment

In addition to the authority to enforce and secure compliance with the provisions of this permit under the Article III Santa Barbara County Zoning Ordinance, the County Administrator, or in his/her absence a designated appointee, may order that curtailment of activities 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 County Administrator 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 in the environment and provided such activities 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 Administrator shall set a time for hearing and shall give written notice of the time and place of the hearing and of the alleged threatening activities or violations. Such notice shall be received by 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 County Administrator determines that there is an imminent danger to the public health and safety resulting from violations, he/she may summarily order the necessary curtailment of activities without 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 County Administrator shall set a date, time and place for a noticed public 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 County Administrator may modify, revoke, or retain the emergency curtailment order.

Any order of the County Administrator may be appealed to the Board of Supervisors within three working days after such order is made.

If such appeal is not filed with the Board of Supervisors, the County Administrator's order becomes final. If there is an appeal, the order of the County Administrator 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 a final Administrative Action. Such decision shall not preclude POPCO from seeking judicial relief.

Once POPCO has shown that the conditions of violation no longer exist and are not reasonably likely to recur, the County Administrator shall modify the curtailment order at a public hearing, giving 24 hours notice to all parties, 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.

A-9. 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.

A-10. 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 condition most protective of public health and safety and of natural environmental resources shall prevail to the extent feasible.

A-11. Submittal of As Built Drawings

Within one year after initial start-up of the expanded gas plant, POPCO shall submit as-built drawings of the entire facility to County. POPCO shall submit as many sets of drawings (up to ten sets) as requested by the Planning and Development Department.

POPCO 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; 93-FDP-015 (RV02))

A-12. Owner and Operator Liability

The owner and the 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 gas, water spillage, fire, explosion, odor, or air pollution, in any way involving oil or gas or the impurities contained therein or removed therefrom and which arises out of construction or operation of ~~POPCO's~~ the project facilities. For the purpose of this condition, the "facility" shall be deemed to include all facilities described and approved pursuant to 93-FDP-015 and 74-CP-11RV1 and any subsequent, approved revisions.

This condition shall not inure to the benefit of any of the owners of the facility, including the United States Government. This declaration of strict liability and the limitations upon it shall be governed by the applicable law of California on strict liability. POPCO shall indemnify, defend and hold harmless the County, its officers, agents, and employees, from any and all claims, demands, costs, expenses, including attorneys fees, judgments or liabilities arising out of the location of the facility.

A-13. Injunctive Relief

In addition to any administrative remedies or enforcement provided hereunder, 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.

A-14. Permit Violations

Any person, firm or corporation, whether as a principal, agent, employee, or otherwise, found to be in violation of any provisions or conditions of this ordinance or permits, shall be punishable as set forth in the applicable section of the Article III Zoning Ordinances of the Santa Barbara County Code.

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.

A-15. Authority To Change Responsible Agency

The Santa Barbara County Board of Supervisors shall have the authority, in a noticed public hearing, to specify or change the Santa Barbara County Department responsible for any conditions contained herein.

A-16. Alternative Mitigation If Condition Invalidated

In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by Code of Civil Procedures Section 1094.6 or other applicable law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the Planning Commission and no approval shall be issued unless substitute feasible mitigation conditions/measures are imposed.

A-17. "POPCO" Definition

The term "POPCO" shall be understood to apply to the Pacific Offshore Pipeline Company of California dba POPCO and/or any other owner or operator of these permitted facilities unless such a meaning would be inappropriate.

A-18. Subsequent Additional Mitigation

All plans, procedures, programs, demonstrations, letters of commitment, as detailed in the Final EIR and subsequent modifications of this permit, including supplemental environmental documents, and the above referenced plans, programs, procedures, demonstrations, realignments and letters prepared pursuant to this permit are incorporated herein and have the force and effect of a permit condition. The remedies available to the County upon applicants failure to comply with such plans, procedures, etc. include but are not limited to those remedies which are available to the County upon POPCO's failure to comply with a permit condition.

A-19. Previous Permits Superseded

POPCO agrees in accepting the Land Use Permit or any other authorization to proceed with construction under this Final Development Plan (93-FDP-015) for the POPCO Gas Plant Expansion, that the following previously issued permits are hereby superseded by this 93-FDP-015. These permits are: Ordinance 2686 (74-RZ-001); 74-CP-31; Phase I Precise Plan (75-DP-27); Phase II Precise Plan (79-DP-23); and, 88-DP-11.

A-20. Final Development Plan and Conditional Use Permit Approval Expiration

Approval of the Final Development Plan and Conditional Use Permit shall expire five (5) years after approval by the Planning Commission, or Board of Supervisors, unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The Planning Commission or Board of Supervisors may, upon good cause shown, grant a time extension for one year.

A-21. Applicability of Conditions To Construction and Operations

These permit conditions are intended to apply to POPCO during the construction, operation and abandonment of the permitted facilities. The term "operations" shall be understood to encompass both construction and operation phases unless such an interpretation would be clearly inconsistent with the meaning and intent of the particular permit condition.

A-22. Future User Compliance

Any future user, owner, or operator (hereinafter "user") of POPCO's Las Flores Canyon facilities shall be required to demonstrate to County's satisfaction that the significant impacts to the County caused by the construction, installation or operation of any of the future user's project facilities have been and will be fully mitigated to the extent feasible.

Prior to its execution, POPCO shall submit to Planning and Development a copy of any proposed agreement with potential future users of the facilities. Planning and Development shall review the proposed agreement to determine that it includes adequate provisions to require the user's compliance with the permit conditions. Such proposed agreement or portions of it may be withheld from public review as a confidential document upon written request and justification from POPCO.

Prior to using POPCO's facilities, each future user must receive from the Planning Commission a determination of substantial conformity with all relevant procedures and permit conditions applicable to POPCO's facilities. For this determination the Planning Commission must be able to make a finding that the significant impacts to the County caused by construction, installation, operation or use of any project facilities by each future user have been and will be fully mitigated to the maximum extent feasible, as recommended by the original POPCO project EIS/EIR, 94-EIR-002, or any appropriate supplemental environmental document.

A-23. Throughput Limitations

The POPCO gas processing facility shall be limited to the following processing limitations:

- a. A maximum inlet rate of **80** MMSCFD of sour gas containing a maximum of 7000 ppm (0.7%) H₂S to be processed on any given day;
- b. A maximum inlet rate of 60 MMSCFD of sour gas containing a maximum of **20,000 ppm (2.00%)** H₂S to be processed on any given day;
- c. Maximum production of 60 long tons on any given day of molten sulfur;
- d. A maximum processing of 75 MMSCFD of inlet (raw) gas on an annual average basis (calendar day).

The offshore-to-onshore sour gas pipeline shall be limited to a maximum throughput of 90 MMSCFD; 75 MMSCFD of sour gas to be processed at POPCO's facility and 15 MMSCFD of sour gas to be transported to ~~Exxon's~~ the Stripping Gas Treating Plant via the sour gas interconnect. (Modified August 25, 1999, 03-DPF-

015RV01; July 25, 2001, 93-FDP-15RV02; June 17, 2002, 93-DP015-AM03; October 20, 2003, 93-DP015-AM04).

B. PERMIT REVIEW

B-1. Construction Review by SSRRC

Prior to issuance of land use permits, for the Expansion project and for subsequent modifications to its gas processing facility, POPCO shall submit to the Planning and Development Department and to the System Safety and Reliability Review Committee (established by Condition P-1) relevant construction plans, engineering drawings and supporting text demonstrating compliance with the relevant conditions of this permit. Land use permits shall not be issued until County has reviewed and approved the appropriate submittal, consistent with the SSRRC review specified in Conditions P-1 and P-2. Within 15 days of submittal, County shall deem the submittal complete, or incomplete and provide a list of deficiencies. Within 15 days of deeming the submittal complete, County shall give written notice of approval of construction plans, or indicate in writing conditions which have not been met, or notify the permittee that the SSRRC review shall be completed within a period of time specified by the SSRRC, based on sound engineering practices. When such conditions have been met, land use permits may be issued. The SSRRC may require post-construction inspections or review of as-built drawings, as necessary to confirm consistency with the approved submittals.

B-2. Condition Effectiveness Review and Imposition of New Conditions

If at any time County determines that these permit conditions are inadequate to effectively mitigate significant environmental impacts caused by or potentially caused by the project, or that recent proven technological advances could provide substantial additional mitigation, then additional reasonable conditions shall be imposed by the Planning Commission to further mitigate these impacts. Imposition of such conditions shall only be considered and imposed as part of a comprehensive review of the project conditions. The County shall conduct a comprehensive review of the project conditions and consider adding reasonable conditions which incorporate proven technological advances three years after permit issuance and at appropriate intervals thereafter. The County may also conduct a comprehensive review of conditions which are not effectively mitigating or will not effectively mitigate impacts at any appropriate time and, based upon that review, impose additional reasonable conditions to effectively mitigate such impacts. Upon appeal and written request of POPCO to the Board of Supervisors, the Board of Supervisors shall determine whether the new condition required is reasonable considering the economic burdens imposed and environmental benefits to be derived.

B-3. Condition Scheduling Conflicts

In the event that scheduling requirements among or between conditions in this permit (or with this permit and conditions imposed by other agencies) conflict with respect to timing, the Planning & Development Department (in consultation with other departments and agencies as appropriate) shall resolve such conflict.

B-4. Authority to Begin Construction

Prior to commencing any construction activities associated with this FDP in Santa Barbara County, POPCO the permittee shall obtain a letter from the Director of Planning & Development indicating that all conditions which require approval prior to construction, as specified by this Final Development Plan, have been satisfied.

B-5. Authority to Begin Operations

After construction and prior to start-up, POPCO shall obtain a letter from the Director of Planning & Development indicating that all conditions which require approval prior to start-up, as specified by this Final Development Plan, have been satisfied. Start-up, for purposes of this condition, is defined as the introduction of oxygen into the sulfur plant.

C. MANAGEMENT AND MONITORING

C-1. Environmental Quality Assurance Program

POPCO shall obtain Planning and Development Department (P&D) approval of an Environmental Quality Assurance Program (EQAP) prior to issuance of the Land Use Permit for the expansion project. This EQAP shall encompass construction and operations of the POPCO facilities, and shall describe the steps POPCO will take to assure compliance with these conditions. The EQAP is intended to provide a monitoring and reporting framework for compliance with all conditions, programs and plans specified by these conditions. As such, it will become a comprehensive reference document for the County, other agencies, and the public regarding the POPCO project.

The EQAP shall include:

- a. all plans, as specified by these conditions, relevant to construction and operation of the permitted facilities. If separate plans exist, they may be referenced rather than physically included in the EQAP submittal;
- b. provisions for an onsite environmental coordinator(s) with overall responsibility for monitoring POPCO's compliance with the environmental conditions of this permit. These coordinators shall be under contract to the County and funded by POPCO;
- c. provisions for ensuring contractor knowledge of and compliance with these conditions;
- d. provisions for the submittal to P&D of monthly reports throughout construction and annual summary reports during operations unless more frequent reporting is deemed necessary by P&D. Upon receipt of compliance reports, P&D shall advise POPCO of what additional compliance items require reporting prior to the next report. These reports shall describe:
 1. Project status, including but not necessarily limited to:
 - i. extent to which construction has been completed,
 - ii. the origins of the construction labor force
 - iii. the rate of production/throughput during operation,
 - iv. environmental planning and implementation efforts, and
 - v. any revised time schedules or timetables of construction and/or operation that will occur in the next one-year period.
 2. Permit condition compliance, including but not necessarily limited to the results of the specific mitigation requirements identified in these conditions and compliance plans.
 3. Results and analyses of all data collection efforts being conducted by POPCO pursuant to these permit conditions.

C-2. 24-Hour Emergency Contact

Prior to issuance of the Land Use Permit, POPCO shall provide to Planning and Development, the Office of Emergency Services and the Fire Department the current name and position, title, address, and 24-hour telephone numbers of the person in charge of the facility, person in charge of construction, 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 A-8(*Administrative correction from A-14 reference to A-8 made July 1, 1996*) in this Final Development Plan or other County ordinances.

There shall always be such a contact person(s) designated by the permittee. One contact person shall be available 24 hours a day in order to respond to inquiries received from the County, or from anyone in case of an emergency.

If the address or telephone number of POPCO's agent should change, or the responsibility be assigned to another person or position, POPCO shall provide to Planning and Development the new information within 24 hours of the effective date of such change.

C-3. POPCO To Provide Copies of Permits to P&D

POPCO shall furnish to Planning and Development copies of all local, state, and federal permits relative to the gas processing facility within 30 days of receipt by POPCO.

C-4. Capacity and Throughput Reports

POPCO shall report to Planning and Development the source(s), volumes, rates, and, where applicable, the H₂S concentration of: (1) inlet gas transported to the gas plant via the 12-inch offshore-to-onshore pipeline; (2) gas processed at the gas plant; (3) gas transported to ~~Exxon's~~ the Stripping Gas Treating Plant via the sour gas interconnect pipeline; and, (4) treated gas transmitted to for sales to the Gas Company. In addition, POPCO shall report the volumes, number of truck trips, and source/destination of trucks transporting: (5) natural gas liquids (NGLs); (6) molten sulfur; and (7) liquid oxygen (LOX). Reports shall be made on at least a monthly and annual basis and supporting documentation will be provided upon request from Planning and Development.

D. FACILITY DESIGN

D-1. Drainage

An escape path shall be incorporated in the road along the easterly side of the project site so that any surplus water not accommodated by the culvert will have a means of escape without running through the project area. The escape path shall be designed for 50 percent of the 100 year flow.

D-2. Storage of Equipment and Materials

Permanent open storage of equipment and materials shall be screened from public view. No above-ground storage structures shall be built/installed without the issuance of a corresponding land use permit.

D-3. Energy Conservation Measures

Throughout the project life, as equipment is added or replaced, cost-effective energy conservation techniques shall be incorporated into project design.

D-4. Water Conservation Measures

The design of all new and/or modified onsite facilities shall incorporate the use of cost-effective water-conserving fixtures.

D-5. Flaring Report

If any emergency flaring occurs during start-up or operations of the expanded gas plant, POPCO shall submit to APCD and Planning and Development within seven (7) working days a report describing the reasons for flaring and corrective measures taken to be approved by APCD, in coordination with Planning and Development.

D-6. Solid Waste Disposal

Solid waste generated on the site shall be transported to a County-approved landfill.

E. AIR QUALITY

E-1. Statement of Scope

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

E-2. Authority To Construct

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

E-3. Construction Plan

Prior to the issuance of the land use permit, POPCO shall submit to the Planning and Development Department a plan, approved by the Air Pollution Control District (APCD), which includes the following measures:

- a. During grading, earth moving, excavation, and transportation of cut or fill materials, water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the late morning and after work is completed for the day and whenever wind exceeds 15 miles per hour. Reclaimed water shall be used whenever **possible. (Modified on July 25, 2001; 93-FDP-015 (RV02))**
- b. After clearing, grading, earth moving, or excavation is completed, the entire section of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to minimize dust generated on the site from leaving the site until the area is paved or otherwise restored to its previous state.
- c. During construction, water trucks or sprinkler systems are to be used as appropriate to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
- d. Any soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- e. To reduce emissions of NO_x and CO, construction equipment engines shall be inspected and properly maintained.
- f. To reduce emissions of sulfur dioxide and PM₁₀, low sulfur diesel fuel (not more than 0.2 weight percent sulfur) shall be used.
- g. Electric equipment is recommended whenever feasible.
- h. POPCO shall instruct construction personnel to carpool to the extent feasible.

- i. Materials delivery to the site shall be coordinated to consolidate deliveries. Construction and delivery schedules shall be maintained and updated every week. These updated schedules shall be provided to the Planning and Development Department weekly.
- j. POPCO shall designate a person or persons to monitor the dust control program and to order increased watering as necessary, to prevent transport of dust off-site. The monitor shall perform duties on holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the OEC and APCD prior to issuance of the Land Use Permit.

E-4. Fugitive ROC Emissions

Fugitive ROC emissions from the new expansion project components shall be controlled and/or offset as necessary to fully comply with APCD Rules and Regulations. ROC emission offsets required by APCD Rules and Regulations shall be demonstrated as available prior to issuance of the Authority to Construct (ATC) permit and shall be in place prior to operation of the expanded facility.

In the event that emission offsets of ROC emissions from new expansion components are not required by APCD Rules and Regulations, POPCO shall still be required to offset and/or control the ROC emissions of new expansion project components to less than 25 pounds per day. If offsets are required in this case, they shall be: (1) obtained according to APCD permitting requirements; (2) demonstrated as available prior to issuance of the ATC permit; and, (3) in place prior to issuance of the APCD Permit to Operate.

E-5. Sulfur Recovery Unit Failure

Based on worst-case scenario air dispersion modeling, emergency flaring of acid gas associated with a failure of the expanded Sulfur Recovery Unit could result in an exceedance of the State one-hour SO₂ ambient air quality standard.

Prior to operation of the expanded facilities, POPCO shall have in place, in accordance with all APCD Rules and Regulations, a system or operation procedure which mitigates to the extent feasible the predicted SO₂ ambient air quality exceedance.

E-6. Facility Shall Emit No Detectable Odor

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

E-7. Permanent Shutdown of POPCO Equipment

As part of the ~~ExxonMobil~~ SYU/POPCO Synergy Project, POPCO shall drain, flush, purge, isolate and abandon in place the boilers and associated feedwater treating systems. POPCO may only use this equipment in the future if the following are met:

- (a) Secure replacement Emission Reduction Credits (ERCs) meeting APCD Regulation VIII requirements prior to any use of the boilers.
- (b) Obtain APCD permits prior to the use of the boilers.

(Modified on July 25, 2001; 93-FDP-015 (RV02))

F. CONSOLIDATION

F-1 Terms For Shared Facility Use

At any time, as requested by the County, POPCO shall submit to the Director of Planning and Development, terms, including financial terms, under which other producers in the area would be permitted to enter and use the facilities for gas processing, transportation, or storage, or ancillary facilities. POPCO shall submit the requested information to the Director of Planning and Development within 30 days of such request or by a date mutually agreed upon by POPCO and the Director of Planning and Development. If these terms are determined to be unacceptable to potential users of the facility or pipeline, 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 POPCO's gas processing facility and offshore-to-onshore sour gas pipeline.

F-2 Consolidation

POPCO shall make its facilities, including pipelines, and lease area 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 uses of POPCO's facilities and lease area are 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 policies regarding the consolidation of oil and gas facilities including pipelines, in the event that the need for such facilities is demonstrated by other developers to the County, POPCO shall make available to such other developers any excess capacity of the POPCO project facilities. In the event that sufficient excess capacity does not exist within the POPCO project facilities, POPCO shall make space within its facility areas available to other developers for the construction of additional permitted facilities related to gas processing. In the event that such necessary facilities are not permissible pursuant to the County's consolidation policies, POPCO 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 the County in order to avoid the construction and operation of redundant facilities.

G. VISUAL RESOURCES

G-1. Board of Architectural Review

All facility design, including buildings, structures, landscaping and signs, shall be in accordance with plans approved by the County Board of Architectural Review (BAR), Section 35-329 of the Article III Zoning Ordinance.

G-2. Exterior Lighting

No unobstructed or unshielded beam of exterior lighting shall be directed toward any area outside the exterior boundaries of Exxon's current property boundary on which POPCO's facilities are located. Any new lighting installed by POPCO along roadways within the project shall utilize low intensity, ground level, shielded fixtures.

G-3. Glare

No glare or other radiation resulting from facilities constructed pursuant to this Development Plan, other than lighting fixtures and, emergency gas flares, shall be detectable at any point along or outside the exterior boundaries of ~~Exxon's~~ the SYU's current property boundary on which POPCO's facilities are located.

G-4. Visible Emissions

POPCO will ensure that all normal facility operations will be conducted in such a manner so as not to generate offensive odors, fumes, noxious gases or liquids or visible emissions of smoke.

G-5. Removal of Debris

During the life of the project, POPCO will remove any and all above ground debris located on the POPCO facility area, including any gas pipelines, tanks, pumps and separators no longer in use and/or not intended to be used in the future.

H. TERRESTRIAL BIOLOGY

H-1 Biological Resource Protection Plan

To reduce construction and operations-related biological and surface water impacts identified in the EIR, 94-EIR-002, POPCO shall implement a Biological Resource Protection Plan approved by Planning and Development prior to issuance of the Land Use Permit for the expansion project. This Plan shall include measures to avoid and/or reduce construction and operations-related biological and water quality impacts associated with:

- a. potential oil, gas, and/or fuel spills from transportation and construction vehicles/equipment, and from facility upsets, which could affect Las Flores and/or Corral creeks. Spill prevention, spill response, and habitat restoration measures shall be identified in the Plan and shall include low-impact clean-up strategies for Las Flores and Corral creeks;
- b. facility and wildland fires, including fire hazard reduction and biological resource protection measures. The fire hazard reduction component of POPCO's Plan shall also be approved by the County Fire Department prior to issuance of the Land Use Permit;
- c. potential adverse air emissions; and,
- d. cumulative water quality impacts from facility operations.
- e. Identification of POPCO site drainage patterns,
- f. Identification and source of chemicals and fluids which could spill, and identification of chemicals specific to POPCO-operations.

The Biological Resource Protection Plan shall be consistent with ~~Exxon's~~ the SYU spill restoration plan, Surface Water Quality Management Plan, Vegetation Management Plan, and Annual Biological Survey Plan, and shall provide for canyon-wide resource protection and restoration.

I. GROUND WATER

I-1. Ground Water Management Plan

Prior to issuance of the Land Use Permit, POPCO shall obtain approval from Planning and Development of a Ground Water Management Plan (GWMP) which identifies feasible water-conserving measures. These measures shall be implemented by POPCO as described in the approved plan and shall include but not be limited to, more efficient/reduced use of utility washdown, process and domestic water use, and management of water well extractions within safe yield limits consistent with ~~Exxon's~~ the SYU GWMP. These measures shall be identified in either a canyon-wide GWMP or a POPCO-specific plan that is consistent with ~~Exxon's~~ the SYU GWMP.

J. SURFACE WATER

J-1. Surface Water Quality Monitoring Plan

Prior to issuance of the Land Use Permit, POPCO shall obtain approval of a Surface Water Quality Monitoring Plan which includes monitoring stations and measures appropriate to POPCO's operations. These measures shall be identified in either a canyon-wide Surface Water Quality Monitoring Plan (SWQMP) or a POPCO-specific plan that is consistent with ~~Exxon's~~ the SYU SWQMP.

K. TRANSPORTATION/CIRCULATION

K-1. Construction Transportation and Parking Plan

Prior to issuance of the land use permit, POPCO shall develop and submit to the Planning and Development Department for review and approval, a Construction Transportation and Parking Plan showing adequate on and/or off site parking for all private vehicles belonging to employees, contractors, and other project-related personnel. (Mitigation Measure T-1) The Plan shall include but not be limited to the following components:

- a. Provision of worker parking within ~~Exxon's~~ the SYU's existing developed area(s).
- b. Use of ~~Exxon's~~ the SYU Goleta Parking Lot.
- c. Use of lower canyon area previously used by ~~Exxon~~ for worker parking.
- d. Bussing of workers from the parking area(s) to the POPCO job site(s).
- e. Scheduling of truck traffic transporting materials to and from the POPCO site to avoid arriving or departing during school bus hours and other measures arising from POPCO's discussions with the Vista Del Las Cruces School.
- f. The applicant shall establish and implement a policy of car, van or small bus pooling, as necessary, to facilitate employee commuting from outside the Santa Barbara Housing Market Area.

If POPCO proposes to accommodate construction-related parking on land located outside POPCO's lease area, POPCO shall demonstrate to Planning and Development property owner approval. The County approved Construction Transportation and Parking Plan shall be approved and in place prior to any construction activities relative to the expansion project.

K-2. Emergency Site Access

In the event that the primary access road to Las Flores Canyon is rendered impassable or inadvisable for use, or if additional access is required during an emergency event, POPCO shall use the Emergency Access Road (EAR) ~~recently~~ constructed by ~~Exxon~~ under County permit 92-FDP-011cz. Prior to start-up of the expanded facility, POPCO shall demonstrate to the County its authority to use EAR under the aforementioned conditions.

L. NOISE

L-1 Construction Noise Limits

Construction activities for all project facilities shall be limited to the hours between 7:00 a.m. and 5:30 p.m. (93-FDP-015(SC01); September 29, 1995) Monday through Friday, unless POPCO receives a prior waiver from Planning and Development. During the construction and operation phases, project related noise near all

sensitive receptors identified in the EIR 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, Coastal Zoning Ordinance and Article III Zoning Ordinance.

L-2. Operational Noise Limits and Minimization Requirements

Except for motor vehicles and motorized construction equipment, all facilities shall be designed, constructed, operated and maintained such that sound levels during operation do not exceed 70 dBA at or beyond the property line, as measured on the "A" weight 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, Article III Zoning Ordinance and the Coastal Zoning Ordinance. No nearby residents shall be subjected to greater than a 9 dBA increment above the baseline ambient noise level, nor greater than a 3 dBA increase in day-night sound levels. The best available technology, including but not limited to muffling equipment, sound barriers, and landscaping measures shall be used to minimize noise impacts caused by POPCO.

L-3 Equipment Noise Limits

All construction and operation-related equipment shall be operated and maintained to minimize noise generation, ground vibration, and to avoid interference with radio or video communications.

L-4. Annual Noise Level Monitoring

In order to ensure that operational noise does not substantially increase the ambient noise for adjoining areas, POPCO shall continue to monitor noise levels on an annual basis. If noise levels are shown to exceed 70 dBA at or beyond the current ~~Exxon~~ property line, POPCO should implement appropriate mitigation measures as required by Planning and Development to reduce the exceedance(s).

POPCO shall participate in a canyon-wide noise monitoring and mitigation program with other facility operators in Las Flores Canyon. This plan shall be reviewed and approved by Planning and Development prior to issuance of the Land Use Permit.

(Section "M" is not used.)

N. FIRE PROTECTION

N-1. Fire Protection Plan

All POPCO facilities shall have fire protection features installed in accordance with the provisions of the POPCO Fire Protection Plan (FPP). All facilities, construction activities, process equipment, and fire protection equipment shall comply with the standards of the National Fire Protection Association, American Petroleum Institute, Uniform Fire Code as adopted in Chapter 15, Community Life Safety, of the Code of Santa Barbara County, and the Santa Barbara County Fire Department.

Prior to issuance of the Land Use Permit, POPCO shall receive Fire Department approval of a revised FPP which addresses both construction and operation of the expanded gas plant. The existing FPP shall be reviewed jointly by the Fire Department and POPCO for its applicability to the expanded gas processing plant. Any changes to the FPP required as a result of this review shall be implemented by POPCO.

The revised FPP also shall include, but may not be limited to, discussions of the following:

- Onsite firefighting equipment
- Fire and gas detection

- Access
- Vegetation management
- Employee training and safe practices
- Process control and monitoring analysis
- Drainage and containment
- Inspection (including County inspectors) and maintenance practices

N-2. Fire Water Pump

Prior to issuance of the Land Use Permit, POPCO shall receive approval from the Fire Department and Systems Safety and Reliability Review Committee (SSRRC) for the addition of a third fire water pump. This pump shall be designed to provide 3,500 gpm at 135 psi.

Since this measure would result in a higher system demand, confirmation that the firewater system could maintain a supply of fire water for at least 4 hours shall be made and evidence acceptable to the Fire Department provided, prior to the submittal of plans for the addition of the pump to the Fire Department and SSRRC, as described above.

In lieu of installation of a third fire water pump, POPCO may elect to demonstrate that sufficient flow capacity can be achieved through other means, such as a canyon-wide fire protection system (N-3 below). If such demonstration is made, addition of the third fire water pump would not be required.

N-3. Canyon-wide Fire Protection System

Prior to issuance of the Land Use Permit, and as a component of the revised Fire Protection Plan required under condition N-1 above, POPCO shall conduct a hydraulic analysis to determine the benefit of emergency connections between the separate fire water systems within Las Flores/Corral canyons and whether such modifications to the fire water distribution system would adversely affect either system. This analysis shall also determine if additional flow capacity can be achieved through such fire protection system and whether such emergency connections should normally remain closed in order to isolate each firewater system from the other.

If the hydraulic analysis demonstrates the benefit of emergency connections between the separate fire water systems, ~~POPCO the permittee shall provide the Fire Department and Planning & Development with documentation of an approved agreement between POPCO and Exxon for the canyon-wide fire protection water system and shall implement such system.~~

N-4. Vegetation Management Plan

Prior to issuance of the Land Use Permit, POPCO shall obtain approval from Planning & Development and the Fire Department of a Vegetation Management Plan which identifies measures for the development and implementation of a vegetation/fuel bed management program. These measures shall be identified in either a canyon-wide Vegetation Management Program ~~in cooperation with Exxon~~ or a POPCO-specific plan that is consistent with ~~Exxon's~~ the SYU's Vegetation Management Program. The Vegetation Management Program shall be described in the revised Fire Protection Plan required under condition N-1 above.

(Section "O" is not used.)

P. SYSTEM SAFETY

P-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 & Development Department with the assistance of the Systems Safety and Reliability Review Committee (SSRRC).

The System Safety and Reliability Review Committee shall consist of a representative from the County Air Pollution Control District, the County Fire Department, the Energy Division and the Building & Safety Division of the Planning and Development Department, and, on an as-needed basis, the Office of Emergency Services and Environmental Health Services. Other County departments, as deemed necessary by the SSRRC, may be consulted. All reasonable costs associated with this County review shall be borne by POPCO. POPCO shall be entitled to participate fully in the review process.

POPCO shall submit all appropriate construction plans, Process Hazards Analyses (PHA), and Hazard and Operability Studies (HAZOPs) to the System Safety and Reliability Review Committee (SSRRC) who may employ a third-party technical review in order to evaluate project design and help identify possible design hazards prior to issuance of land use clearances and design modifications thereafter. This review shall also evaluate all mitigation identified in the EIR. POPCO shall modify the project design to reduce the risks identified by the SSRRC. Recommendations identified for the proposed facilities shall be implemented prior to operations of the expanded facility. POPCO shall submit operating procedures for the SSRRC review and approval. Recommendations concerning operating procedures shall be adopted for the affected facilities prior to operation of the proposed facilities. In the event of a disagreement, the SSRRC may either develop alternate mitigation or request the mitigation be required by the County Planning Commission through adoption of a new or modified permit condition. The SSRRC may require as-built inspections and the submittal of as-built drawings for approval prior to the operation of any plant modifications.

POPCO 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 of the Synergy Project. All mitigation recommendations resulting from the PHA shall be reconciled with the final design and operating procedures and agreed to by the SSRRC.

(Modified on July 25, 2001; 93-FDP-015 (RV02))

P-2. Safety Inspection, Maintenance And Quality Assurance Program

Prior to the issuance of the Land Use Permit, POPCO shall submit a detailed Safety Inspection, Maintenance and Quality Assurance Program (SIMQAP) for all onshore and offshore facilities and pipelines which shall be implemented during construction and operations. The plan is a dynamic document and, as such, updates including new procedures, safety and maintenance technologies and processes, shall be reviewed jointly by POPCO and the SSRRC. The SIMQAP shall be revised as appropriate. The SIMQAP shall include, but not be limited to, evaluation of staffing levels for safe operation of the plant in emergency situations, establishing procedures for review of safety inspection records, regular maintenance and safety inspections, periodic safety audits, development of safety system testing protocols, training and experience standards for personnel and use of simulation techniques in training programs, inspections of all trucks carrying hazardous and/or flammable material prior to loading, monitoring of critical safety devices and systems, and review of the routing of all trucks carrying hazardous material. The SIMQAP shall be reviewed and approved by the System Safety and Reliability Review Committee prior to operation of the expanded facility. POPCO shall implement the approved plan and shall provide for involvement of the Onsite Environmental Coordinator (Condition C-1), County staff, or its consultants in all inspections as appropriate. All costs associated with this review process shall be borne by POPCO.

POPCO shall submit appropriate revisions to its SIMQAP and receive SSRRC approval 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 on July 25, 2001; 93-FDP-015 (RV02))

P-3. Emergency Response Plan

POPCO shall submit to the County an updated Emergency Response Plan (ERP) that addresses response procedures to be implemented by POPCO for accidental events that pose significant threats to public health and safety, property, or the environment.

The updated ERP shall be reviewed and approved by the County Office of Emergency Services (OES), the Fire Department, and the Planning and Development Department prior to issuance of the Land Use Permit. OES shall consult with Environmental Health Services prior to OES approval of the ERP. Approval of the ERP shall include its consistency with the County's Model Oil and Gas Industry Emergency Response Plan. POPCO shall demonstrate the effectiveness of its ERP by responding to one emergency response drill prior to operation of the expanded facility.

The ERP shall be a dynamic document and, as such, shall be jointly reviewed by the County and POPCO, and revised when warranted. Any changes shall be submitted to OES, Fire, and Planning and Development for their review and approval, prior to implementation. POPCO shall demonstrate the ongoing effectiveness of the ERP by responding to no more than two surprise drills each year which may be called by the County. If critical operations are underway, POPCO need not respond to the drill at that time but shall explain the nature of the critical operations and why response is not possible. The County may then call for an additional surprise drill in the same year.

POPCO 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 on July 25, 2001; 93-FDP-015 (RV02))

P-4. Funding County Emergency Response Plan

In order to assure that County emergency response procedures adequately interface with the POPCO emergency response procedures, POPCO shall provide its reasonable pro-rata share of funds to the County to implement a County Emergency Response Plan for oil and gas industry related emergencies. The County shall request funds from other oil and gas industry operators holding P-4 permit conditions (or similar requirements) to aid in funding of the County Emergency Response Plan. When available, OES shall provide POPCO with an estimate of the pro rata share of funds to be provided by POPCO and the method for allocating such costs among other operators. POPCO's participation in the Area Oil and Gas Industry ERP Mutual Aid Agreement shall be documented in a letter agreement to be approved by OES prior to operations of the expanded facility.

P-5. Hazardous Material and Waste Management Plan

Prior to start-up of the expanded facilities, POPCO shall submit a Hazardous Material and Waste Management Plan (HMWMP) to the County Office of Environmental Health Services (EHS), Fire Department and Planning & Development (P&D) Department for all facilities. The HMWMP shall be reviewed and approved by EHS, Fire, and P&D, prior to start-up of the expanded facility.

The Plan shall demonstrate compliance with the provisions of the Uniform Fire Code as adopted in Chapter 15 of the Code of Santa Barbara County and the provisions of the Health and Safety Code §25500 et seq, Chapter 6.95 Business Plan Requirements, with the exception of emergency response procedures which are complied with in Condition P-3.

The Hazardous Material and Waste Management Plan shall include but not be limited to the following:

- a. Locations and methods for storing hazardous materials and wastes.

- b. Treatment procedures, or justification where none are used, to reduce the hazardous nature of the materials before they are permitted to leave the site.
- c. Specific routes for transportation of hazardous waste materials to Class I disposal sites consistent with County policy.
- d. Letter of commitment that the materials are transferred by a carrier licensed in hazardous material transport.
- e. Letter of commitment ensuring complete accounting of intake, processing, and exit of hazardous material and wastes.
- f. Detailed description of a monitoring system to be installed, capable of detecting hazardous material and wastes that may escape from primary storage devices.
- g. A revised Hazardous Materials Business Plan which accurately reflects the revised chemical inventory of the project site to Environmental Health Services for review and approval, in accordance with the California Health & Safety Code, Chapter 6.95, Section 25,500 et seq.

The HMWMP shall be a dynamic document and, as such, shall be jointly reviewed by the County and POPCO, and revised as appropriate every three years or when warranted to incorporate new planning strategies, changes in procedures, new technologies, or changes in materials. Any changes requested by POPCO or required by the County shall be submitted to EHS, Fire, and P&D for their review and approval, prior to implementation.

P-6. NGL Pipeline and NGL Inventory Management Plan

Prior to operation of the expanded gas plant, POPCO shall construct and operate, or participate in the construction and operation of a pipeline, or use a pipeline constructed and operated by others, that connects ~~POPCO's facilities~~ the gas plant to Exxon's the SYU facilities for the purpose of maximizing pipeline shipment of NGLs and minimizing truck transportation and storage of NGLs at POPCO.

Prior to operation of the expanded gas plant, POPCO shall have obtained approval from the Planning and Development Department and the SSRRC of an NGL Inventory Management Plan describing its best management practices for storing NGLs so as to reduce the risks associated with NGL storage at POPCO.

In order to make the determination of the need for the study and additional mitigation identified in Condition P-11, POPCO shall have received a determination of application completeness for the NGL pipeline from the Planning and Development Department prior to issuance of the Land Use Permit for the expanded gas plant. Such application shall include a draft NGL Inventory Management Plan.

P-7. Transportation Risk Management & Prevention Program for NGLs and LOX

POPCO shall prepare and implement a Transportation Risk Management and Prevention Program (TRMPP) which meets County of Santa Barbara approval for natural gas liquids (NGLs) and for liquid oxygen (LOX) which is consistent with Board Resolution No. 93-480. The TRMPP shall provide administrative controls including but not limited to, the following:

- Strict hiring policies for drivers;
- Training for drivers;
- Prevention of drug and alcohol abuse;
- Truck speed enforcement;
- Penalties for violations;
- Improved truck design;
- Vehicle inspections;

- Vehicle maintenance;
- Emergency response;
- Unloading procedures;
- Use of DOT-rated trucks for shipping NGLs; and
- Contribution to State Route 166 CHP program.

Prior to the issuance of the Land Use Permit, POPCO shall obtain review and approval of the TRMPP from Planning and Development.

P-8. Fire Protection System at Slug Separator/Pig Receiver

In order to mitigate significant impacts identified in 94-EIR-002, POPCO shall provide 1500 gallons per minute water coverage simultaneously on any two sides of the slug separator/pig receiver area for a total of 3000 gallons per minute. This system shall provide fire protection to both the slug separator and the pig receiver to mitigate the consequence of a flammable event in these areas.

Prior to issuance of the Land Use Permit, POPCO shall obtain SSRRC review and Fire Department approval of final construction drawing(s) for the gas plant expansion which include the demonstration and/or installation of this system. The system shall be operable prior to start-up of the expanded facility.

P-9. Automatic Shutdown System

In order to reduce the amount of gas released during a leak or line rupture, POPCO shall install a high integrity automatic shutdown system in the area from the Feed Gas Water Separator (V-100 A/B) through the Main Separator (V-102 A/B).

Prior to issuance of the Land Use Permit, POPCO shall obtain review and approval from the SSRRC of final construction drawing for the gas plant expansion which include the installation of this system. The system shall be installed prior to start-up of the expanded facility.

P-10. Emergency Shutdown Device at Stabilizer Reflux Pumps

POPCO shall install an emergency shutdown device and automatic isolation valve on the suction (low pressure) of the Stabilizer Reflux Pumps in order to mitigate impacts associated with a release of flammable material from the Stabilizer Reflux Accumulator. Prior to issuance of the Land Use Permit, POPCO shall obtain review and approval from the SSRRC of final construction drawing(s) for the gas plant expansion which include the installation of this device. The device shall be installed prior to start-up of the expanded facility.

P-11. Reduction of Risk to Administration Building

If the pipeline to be built and used to accomplish the intent of Condition P-6 above would result in storage of NGLs at POPCO in more than three of the existing five storage vessels, then, prior to the issuance of the Land Use Permit, POPCO shall conduct a study approved by the SSRRC and the Planning and Development Department, to evaluate and identify measures to reduce to the maximum extent feasible, exposure to explosion overpressure impacts at the Administration Building due to the presence of the surrounding processing facilities. The study shall consider, and modify as necessary, the NGL Inventory Management Plan required by Condition P-6 to manage the volumes of NGLs to be stored in the NGL storage bullets at POPCO so as to reduce risk of explosion. POPCO shall implement specific feasible risk reduction measures identified by the study prior to operation of the expanded gas plant.

If the pipeline to be built and used pursuant to Condition P-6 above would result in storage of NGLs at POPCO in three or fewer of the five existing storage vessels, then, prior to operation of the expanded gas plant, POPCO

shall have obtained approval of the NGL Inventory Management Plan required by Condition P-6. Other requirements identified in the paragraph above shall not be required.

P-12. Separation/Barrier Between LOX System and Ignition Sources

Prior to operation of the expanded gas plant, POPCO shall reduce the risk associated with the liquid oxygen (LOX) system as described below:

(1) provide a minimum separation distance of 230 feet between the LOX storage tank and vaporizer and any potential ignition sources (e.g. combustion air intake manifolds and the sulfur pit) reduce the consequence of a large leak from the LOX tank. However, upon demonstration by POPCO to the satisfaction of the SSRRC and the Planning & Development Department that 230 feet of separation is not feasible, POPCO shall:

(2) install physical barriers surrounding the liquid oxygen tank to prevent impact from vehicular traffic and provide restrictions on maintenance activities involving crane access and administrative controls which would severely limit or prevent the lifting of heavy equipment over the liquid oxygen tank while in service.

Prior to issuance of the land use permit, POPCO shall obtain SSRRC approval of final construction drawings which depict either the 230-foot spacing (1 above) or the physical barriers (including maintenance restrictions and administrative controls) to be constructed (2 above).

P-13. Risk Management and Prevention Plan

Prior to start-up of the expanded facility, POPCO shall obtain review and approval from Environmental Health Services of a revised Risk Management and Prevention Plan prepared as required by Chapter 6.95, Article 2 of the California Health and Safety Code.

P-14. POPCO/~~Exxon~~ SYU NGL Flowline

The County's intent in approving the construction and operation of the NGL flowline from the POPCO Gas Plant to ~~Exxon~~ the SYU (93-DP-015(AM01)) is, in part, to reduce risks associated with NGL truck transport. Therefore, POPCO shall transport all NGLs from its Las Flores Canyon gas plant to ~~Exxon's~~ the SYU Stripping Gas Treating Plant via the NGL flowline pursuant to 93-DP-015(AM01). With the exception of upset conditions, or other conditions described in POPCO's approved NGL Inventory Management Plan (Condition P-6), POPCO shall receive prior written approval from the County for the transport of NGLs from its Las Flores Canyon facilities other than to ~~Exxon~~ the SYU via the NGL flowline. (*Added February 14, 1997; 93-FDP-15(SC02)*)

P-15. POPCO To Submit Final Synergy Project Design To SSRRC

POPCO shall provide final design deliverables that document the interdependence between the facilities (POPCO and ~~ExxonMobil~~ SYU) 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~~ SYU TGPU;
- Preparation of operating and commissioning procedures; and,

- Operator training and cross training.

Q. ABANDONMENT

Q-1. Abandonment Determination

When annual average operational throughput of gas processing facilities over any twelve (12) consecutive month period is at or below 1.8 MMSCFD of produced gas on an average annual basis, the Planning Commission shall review this Final Development Plan at a properly noticed public hearing to determine if facility abandonment or facility modifications are appropriate. The 1.8 MMSCFD "trigger" for review of the FDP represents three percent (3%) of the maximum permitted operating capacity of 60 MMSCFD. If, in the future, the County adopts a different trigger to initiate abandonment or the review of the need for permit modifications due to very low throughput, POPCO shall comply with such County policy.

Q-2. Abandonment Procedures

Immediately following permanent shut down of the facilities permitted herein, POPCO shall abandon and restore all facility sites covered under this permit consistent with County policies on abandonment and restoration of said facilities in effect at that time. Absent any policies, POPCO shall remove any and all abandoned processing facilities and portions of the import pipeline, buried or unburied, constructed and/or operated under this permit, excavate any contaminated soil, re-contour all sites and revegetate all sites in accordance with a County approved abandonment and restoration plan within one year of permanent shut down. POPCO shall post a performance bond, or other security device acceptable to County Counsel, in an amount determined by the County.

G:\Group\Energy\WPALECA\POPCO\PERMITS\permitconditions2003.DOC

Attachment B – Conditions of Approval

B-3. Las Flores Pipeline System FDP Permit No. 88-DPF-033 (RV01)z, 88-CP-60 (RV01)(88-DPF-25cz;85-DP-66cz; 83-DP-25cz)

**LAS FLORES PIPELINE SYSTEM
FINAL DEVELOPMENT PLAN CONDITIONS**

88-DPF-033 (RV01)z, 88-CP-60 (RV01)

(88-DPF-25cz; 85-DP-66cz; 83-DP-25cz)

December 12, 1988

Modified May 2003

**(Modified on September 19, 2023 with the Change of Ownership, Change of Guarantor, and
Change of Operator for the Las Flores Pipeline System [Lines 901/903])**

(Modified on February 25, 2025 with the Change of Guarantor and Operator to Sable Offshore Corp)

These conditions of approval have been revised to list the new owner, guarantor, and operator, and remove all previous owners, guarantors, and operators that no longer serve such role. Text that has been added is shown in underline, and text that has been removed is shown in ~~strikeout~~.

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**LAS FLORES PIPELINE SYSTEM
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88-DPF-033 (RV01)z, 88-CP-60 (RV01)

(88-DPF-25cz; 85-DP-66cz; 83-DP-25cz)

December 12, 1988

Modified May 2003

**(Modified on September 19, 2023 with the Change of Ownership, Change of Guarantor, and
Change of Operator for the Las Flores Pipeline System [Lines 901/903])**

(Modified on February 25, 2025 with the Change of Guarantor and Operator to Sable Offshore Corp.

~~The current owner and operator of record for the Las Flores Pipeline System (previously the All American Pipeline) is Pacific Pipeline Company, referred to herein as PPC. ExxonMobil Pipeline Company (EMPCo) serves as the pipeline operator. ExxonMobil Corporation is identified as sole guarantor and carries in excess of \$100 million insurance coverage, as required by the Office of Oil Spill Prevention and Response. PPC is directly wholly owned by Mobil Pacific Pipeline Company, and indirectly wholly owned by Exxon Mobil Corporation. EMPCo is directly wholly owned by Exxon Pipeline Holdings LLC, and indirectly wholly owned by ExxonMobil Corporation.~~

A. GENERAL

Owner: Pacific Pipeline Company, a wholly owned subsidiary of Sable Offshore Corporation (Sable), is the currently listed Owner of the Las Flores Pipeline System.

Operator: Sable is the currently listed Operator of the Las Flores Pipeline System.

Guarantor: Sable is the currently listed Guarantor of the Las Flores Pipeline System.

A-1. Acceptance of Permit Conditions

Acceptance of this permit shall be deemed as acceptance of all final conditions of this permit, except that PPC reserves the right to pursue any remedy for any legal violations imposed directly or indirectly by these permit conditions.

A-2. Grounds for Permit Modification or Revocation

If the Planning Commission determines at a noticed public hearing that PPC is not in compliance with any permit condition(s), pursuant to the provisions of Sec. 35-185 of Article II and/or Sec. 35-330 of Article III of the Santa Barbara County Code, the Planning Commission is empowered, in addition to revoking the permit pursuant to said section, to amend, alter, delete, or add conditions to this permit. *(modified by the Planning Commission on September 6, 2000)*

A-3. Court Costs

PPC agrees as a condition of the issuance and use of this permit to defend at its sole expense any action brought against the County by a third party challenging either its decision to issue this permit or the manner in which the County is interpreting or enforcing the conditions of the permit. PPC will reimburse the County for any court costs and attorneys fees which the County may be required by a court to pay as a result of such action where PPC defended or had control of the defense of the suit. County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve PPC of its obligation under this condition. County shall bear its own expenses for its participation in the action.

A-4. Costs of Implementing and Enforcing Conditions

The permittee shall make an initial deposit to a fund to permit the County to adequately implement and enforce the conditions imposed by this permit and applicable County ordinances and/or the conditions of this permit, if such a fund is established. If the Board of Supervisors determines that a reasonable enforcement fund is needed, the Director of the Planning and Development Department shall present to the Board of Supervisors and the permittee a plan for enforcement within one year from the effective date of this permit. This plan shall set forth the staffing requirements and materials necessary for such enforcement and the estimated costs thereof. This plan shall provide that all reasonable expenses incurred by the County or County contractors, for permit condition implementation, reasonable studies, and emergency response directly and necessarily related to enforcement of these permit conditions shall be reimbursed by PPC/Sable within 30 days of invoicing by County.

A-5. Civil Penalties

In the event that PPC 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 to the extent imposition of such civil penalty is authorized by applicable laws, rules, or regulations.

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

A-6. Access to Records and Facilities

As to any condition which requires for its effective enforcement the inspection of construction records or records pertaining to facility operations, or the facilities themselves by County or its duly authorized agents, PPC will make all necessary 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 PPC in writing.

A-7. Substantial Conformity

The procedures, operating techniques, design, equipment and other descriptions (hereinafter procedures) described in 83-DP-25 cz, 83-CP-97 cz, and in subsequent clarifications and additions to that application and the Final Development Plan are incorporated herein as permit conditions and shall be required elements of the project. 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. Therefore, modifications of these procedures will not be permitted without a determination of substantial conformity or a new or modified permit. 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 approved Final Development Plan.

A-8. Authority for Curtailment

In addition to the authority to enforce and secure compliance with the provisions of this permit under Division 12, Coastal Zoning Ordinance of the Santa Barbara County Code and Division 7,

General Regulations, Article III Santa Barbara County Zoning Ordinance, 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 in 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 received by 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/she may summarily order the necessary curtailment of activities without 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 24 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.

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 a final Administrative Action. Such decision shall not preclude ~~AAPLP~~ PPC from seeking judicial relief.

Once PPC 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.

A-9. 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.

A-10. 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

condition most protective of public health and safety and natural environmental resources shall prevail to the extent feasible.

A-11. Injunctive Relief

In addition to any administrative remedies or enforcement provided hereunder, 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.

A-12. Owner/Operator Liability

The owner and the 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, water spillage, fire, explosion, odor, or air pollution, in any way involving oil or gas or the impurities contained therein or removed therefrom and which arises out of construction or operation of PPC's facilities. For the purpose of this condition, the "facility" shall be deemed to include all facilities described and approved pursuant to 83-DP-25cz, 83-CP-97cz.

This condition shall not inure to the benefit of any of the owners of the pipeline, including the United States Government. This declaration of strict liability and the limitations upon it shall be governed by the applicable law of California on strict liability.

A-13. Facility Throughput and Source Limits

All facilities constructed under this permit shall be used only for the shipment of a maximum volume of heated crude oil demonstrated to be within the design parameters of the pipeline facilities as built. The subject volumes will be outer continental shelf (OCS) and other locally produced onshore and offshore petroleum from the Santa Barbara and Santa Maria Basins. PPC shall obtain a new or modified permit, or authority to continue operation under the existing permit prior to undertaking any of the following activities which may, in the judgment of the County, result in significant changes to the impacts on the County. Such changes could include but not be limited to: 1) major pipeline or pump station modifications; 2) major changes in pipeline throughput; 3) introduction of production to the pipeline from sources other than those described above; and 4) introduction of a different product from any source.

Other source volumes may be transported subject to a determination of substantial conformity by the Planning Commission and a finding of facts and determination that project impacts will not be increased by transporting and processing those other sources.

A-14. Pipeline Alignment

The permittee shall align the pipeline corridor from the coastal starting point to the County exit point in the western Cuyama valley according to the route approved by the County. The permittee shall locate and construct all isolation valves as identified by the final approved alignment.

A-15. Permit Violations

Any person, firm or corporation, whether as a principal, agent, employee, or otherwise, found to be in violation of any provisions or conditions of this ordinance or permits, shall be punishable as

set forth in the applicable section of the Coastal Zoning Ordinance, and Article III of the Santa Barbara County Code.

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.

A-16. Board of Supervisors Authority to Change County Department Responsible for Condition

The Santa Barbara County Board of Supervisors in a noticed public hearing shall have the authority to specify or change the Santa Barbara County Department responsible for any conditions contained herein.

A-17. Fees as Mitigation Measures

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 other feasible mitigation measures shall be imposed which will substantially lessen the significant impact formerly mitigated by the imposition of fees. Within six months of the County's loss of such authority, feasible alternative mitigation measures shall be imposed as replacement permit conditions. Alternatively, the County in a noticed public hearing must find that no feasible mitigation measures are available and that the benefits of the project outweigh the significant environmental impacts.

A-18. Payment of Attorney's Fees and Costs

Should legal action be required by either party to enforce any rights in connection with this permit the prevailing party shall be entitled to reasonable attorney's fees and costs pursuant to Civil Code 1717.

A-19. Applicability of Conditions to Construction and Operation

Unless otherwise specified, these permit conditions are intended to apply during both the construction and the operation of the permitted facilities.

A-20 Project Description

The Development Plan Revision (88-DP-33) and Conditional Use Permit Revision (88-CP-60) are based upon and limited to compliance with the project description and conditions of approval adopted for the Gaviota Creek Pipeline Lowering and Relocation Project, as documented in 00-ND-21 and the September 6, 2000 staff report. 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. The project description is summarized as follows:

- Relocate the existing Gaviota Creek pipeline crossing by re-burying the 30" crude oil pipeline at least 10 feet into bedrock immediately upstream from their existing crossing;
- Remove the existing, exposed pipeline segment in Gaviota Creek;
- Restore and revegetate the disturbed area; and

- Monitor the crossing to ensure erosion control and revegetation efforts are successful.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description and the associated hearing exhibits and conditions of approval. 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 hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County. *(adopted by the Planning Commission on September 6, 2000)*

A-21

Any use authorized Conditional Use Permit Revision (88-CP-060 RV01) shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Coastal Development issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. *(adopted by the Planning Commission on September 6, 2000)*

A-22

Within 18 months after the effective date of Conditional Use Permit Revision (88-CP-060 RV01), construction and/or the use shall commence. Construction or use cannot commence until a Coastal Development Permit has been issued. Failure to commence the construction and/or use pursuant to a valid Coastal Development Permit shall render the Conditional Use Permit null and void. All time limits may be extended by the Planning Commission for good cause shown, provided a written request, including a statement of reasons for the time limit extension request is filed with Planning and Development prior to the expiration date. *(adopted by the Planning Commission on September 6, 2000)*

A-23

Approval of the Final Development Plan Revision (88-DP-33 RV01) shall expire five (5) years after approval by the Planning Commission, unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decisionmaker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year. *(adopted by the Planning Commission on September 6, 2000)*

A-24

Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Coastal Development and Building Permit from Planning and Development. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development. *(adopted by the Planning Commission on September 6, 2000)*

A-25

All applicable final conditions of approval shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division.

These shall be graphically illustrated where feasible. *(adopted by the Planning Commission on September 6, 2000)*

A-26

The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this the applicant agrees to:

1. Contact the Energy Division as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
2. Contact the Energy Division at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, planner, other agency personnel and with key construction personnel.
3. Contact the State Parks archaeologist one week prior to commencement of any project activities on the site, including pre-construction activities.
4. Pay fees to cover full costs of consultants and staff time and monitoring (EQAP program). In the event of a dispute, the decision of the Director of P&D shall be final. *(adopted by the Planning Commission on September 6, 2000)*

A-27

Developer shall defend, indemnify and hold harmless the County or its agents, 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 the Final Development Plan Revision (88-DP-33 RV01) and Conditional Use Permit Revision (88-CP-060 RV01). In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect. *(adopted by the Planning Commission on September 6, 2000)*

A-28

In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed. *(adopted by the Planning Commission on September 6, 2000)*

A-29

Within 60 days of completion of the Gaviota Creek Pipeline Lowering and Relocation project, the permittee shall submit as-built drawings to the Energy and Building and Safety Divisions. *(adopted by the Planning Commission on September 6, 2000)*

A-30

Within 60 days of completion of the Gaviota Creek Pipeline Lowering and Relocation project, the permittee shall revise their Operations and Maintenance Manual to reflect the changes to the pipeline. Revisions shall be copied to the Energy and Building and Safety Divisions. *(adopted by the Planning Commission on September 6, 2000)*

A-31

The Gaviota Creek Pipeline Lowering and Relocation project is estimated to take a maximum of 5 weeks. If earthmoving work extends past November 1, the Energy Division shall convene

a meeting between the permittee and all responsible agencies to decide on the appropriate action. If the Planning Director determines that work cannot continue due to impacts on sensitive resources (e.g., steelhead migration, red-legged frog breeding season), or the potential for increased sedimentation and erosion, work shall be suspended.

B. PERMIT REVIEW

B-1. System Safety and Reliability Review Committee (SSRRC) Review Prior to Construction

Prior to initiation of construction activity (such as ROW preparation, river crossings or pump station construction), the permittee shall submit to the System Safety and Reliability Review Committee (established by condition P-1) relevant construction drawings and supporting text demonstrating compliance with the appropriate conditions. Construction may not commence until County has reviewed and/or approved this submittal, consistent with the SSRRC review specified in Conditions P-1 and P-2. Within 15 days of submittal, County shall either give written notice to proceed with construction or indicate in writing conditions which have not been met. When such conditions have been met construction approval shall be granted.

B-2. Imposition of New and Comprehensive Review of Conditions

If at any time County determines that these permit conditions are inadequate to effectively mitigate significant environmental impacts caused by the project, or that recent proven technological advances could provide substantial additional mitigation, then additional reasonable conditions shall be imposed to further mitigate these impacts. Imposition of such conditions shall only be considered and imposed as part of the County's comprehensive review of the project conditions. County shall conduct a comprehensive review of the project conditions and consider adding reasonable conditions which incorporate proven technological advances three years after permit issuance and at appropriate intervals thereafter. A comprehensive review of conditions which are not effectively mitigating impacts may be conducted at any appropriate time. Upon written request of PPC, the Board of Supervisors shall determine whether the new condition required is reasonable considering the economic burdens imposed and environmental benefits to be derived.

B-3. Authority to Impose Feasible Mitigations

This permit is premised upon findings that where feasible, all significant environmental effects of the project identified in the EIR/EIS (State Clearinghouse No. 83110902), which occur in Santa Barbara County, will be substantially mitigated by the permit conditions. Prior to approval of the Final Development Plan, County shall review any findings that identified certain mitigation measures as being in the primary jurisdiction of another agency but are also within County's jurisdiction. County shall thereupon 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 County determines that no other agency is or may be implementing such feasible mitigation measures then County may impose those feasible measures within its jurisdiction to mitigate those environmental impacts in accordance with appropriate mitigation measures identified by the EIS/R.

B-4. Coordination Plan for the Use of a Shared Pipeline Corridor

Prior to approval of the Final Development Plan, the permittee shall develop and submit to the Planning and Development Department for approval a plan to co-ordinate the placement and

timing of their pipeline with SCPS's pipeline (or other potential proposals for use of the same corridor for a pipeline). Any agreements between the permittee and SCPS (or other applicant) necessary to implement this plan shall be subject to review and verification by the Planning and Development Department to assure the purpose of the plan will be achieved. The expressed purpose of this co-ordination plan shall be:

- 1) arrangement of simultaneous construction where practical;
- 2) engineering of pipe placement within the ROW to minimize incremental widening of the initial construction corridor during subsequent pipeline projects;
- 3) identification of segments where incremental widening of the ROW is constrained and alternative engineering techniques which may allow construction of subsequent pipelines (and potential limitations of future pipeline use of the ROW); and
- 4) timing and design of revegetation plans to promote effective revegetation but minimize unnecessary duplication of efforts.

Should SCPS or any other applicant abandon their pipeline project, or fail to submit a Final Development Plan prior to pipeline construction, this condition may be modified to reflect the existing situation but maintain the intent of this condition.

B-5. Resolution of Scheduling Conflicts Among Conditions of Approval

In the event that scheduling requirements among or between conditions in this permit (or with this permit and conditions imposed by other agencies) conflict with respect to timing, the Planning and Development Department (in consultation with other agencies as appropriate) shall resolve such conflict.

B-6. Cooperation with San Luis Obispo County for Pipeline Permitting

Applicant shall cooperate as necessary with San Luis Obispo County in the permitting, design, and construction of those segments of the pipeline which could affect Santa Barbara County. The intent of this condition is to ensure that potential impacts to Santa Barbara County are mitigated to the maximum extent feasible by these permit conditions, regardless of the location of the source of the impact.

B-7. P&D Authorization Prior to Construction

Prior to commencing any construction activities in Santa Barbara County, the permittee shall obtain a letter from the Director of the Planning and Development Department indicating that all conditions which require approval prior to construction, as specified by this permit, have been satisfied.

B-8. P&D Authorization Prior to Start-Up

Prior to start-up of the pipeline in Santa Barbara County, the permittee shall obtain a letter from the Director of the Planning and Development Department indicating that all conditions which require approval prior to start-up, as specified by this permit, have been satisfied.

B-9. Adequacy of Submittals to be Determined by the Planning Commission

In the event that PPC and staff cannot reach an agreement on the adequacy of any submittal required by these conditions, the matter will be brought before the Planning Commission for resolution at the earliest possible date.

C. MANAGEMENT

C-1. Environmental Quality Assurance Program (EQAP)

The permittee shall prepare an Environmental Quality Assurance Program (EQAP) for Resource Management Department approval prior to the Final Development Plan. This EQAP shall encompass both the construction and operation phases of the project, and shall describe the steps the permittee will take to assure compliance with these conditions. This plan is intended to provide a framework for all other programs and plans specified by these conditions as required prior to approval of the Final Development Plan. As such, it will become a comprehensive reference document for the County, other agencies, and the public regarding the project.

This plan shall provide for the submission to the Planning and Development Department semi-annual reports throughout construction and annual reports during operations. These reports shall describe:

- a) Project status, including but not necessarily limited to:
 - i) extent to which construction has been completed,
 - ii) the rate of production/throughput during operation,
 - iii) environmental planning and implementation efforts, and
 - iv) any revised time schedules or timetables of construction and operation that will occur in the next one year period.
- b) Permit condition compliance, including but not necessarily limited to the results of the specific mitigation requirements identified in these conditions.
- c) Results and analyses of all data collection efforts being conducted pursuant to these permit conditions.

The program shall include (or if separate plans exist, reference) all plans relevant to construction and operations of the pipeline facilities specified by these conditions.

Construction

The program shall include all plans relevant to construction activities such as the Restoration, Erosion Control and Revegetation Plan and the Cultural Resources Mitigation Plan.

The program shall include provisions for at least one managing environmental coordinator with overall responsibility, and if necessary, one onsite environmental coordinator per construction site during the construction phase. These coordinators shall be approved by and be responsible to the Planning and Development Department. PPC shall fund the coordinator(s). The number of coordinators necessary shall be determined according to the amount of simultaneous construction activity occurring in geographically separate areas. The responsibilities of the coordinator(s) are to include:

- a) on-site, day-to-day monitoring of construction activities;
- b) ensuring contractor knowledge of and compliance with all appropriate permit conditions;
- c) evaluating the adequacy of construction impact mitigations, and proposing improvements to the contractors, the permittee, and County;
- d) having the authority to require correction of activities observed to violate project environmental conditions or that represent unsafe or dangerous conditions, and having the ability and authority to secure compliance with the conditions or standards through the County Administrative Officer as described in condition A-8, if necessary;
- e) performing as contact for affected property owners and any other affected persons that wish to register observation of environmental permit violations and/or unsafe conditions, receiving any complaints, immediately contacting the permittee's onsite construction

- representative, verifying any such observations and developing any necessary corrective actions in consultation with the permittee's onsite construction representative;
- f) maintaining prompt and regular communication with the Planning and Development Department, Public Works Department, or other appropriate County agency, and with permittee personnel responsible for contractor performance and permit compliance.

In the event that resolution of disputes between the public and/or governmental agencies and the permittee over adherence to permit conditions is not achieved by the managing environmental coordinator, an arbitration system shall be utilized to resolve such disputes in a timely manner in order to minimize the need to halt construction activities as per conditions A-2 or A-8.

The coordinator(s) shall be thoroughly familiar with all plans and requirements set forth in the permit conditions. Prior to construction start-up, the managing coordinator shall discuss with other agency inspectors or monitoring personnel, inspection programs, areas of jurisdiction, responsibility, and define methods of avoiding disputes or construction delay due to agency disagreements.

Selection of the necessary coordinators shall be made, and the person(s) available, prior to issuance of the Coastal Development Permit and Land Use Permit.

Operations

The program shall include all plans related to operations, such as the Emergency Response Plan, Oil Spill Contingency Plan, and Landscaping Plan, as well as specific conditions not required in formal plans. It may also include any procedures not specified by these conditions but relevant to environmental protection and safety. Operational Compliance Plans shall be updated as necessary to reflect any approved change of operator within six months after assuming operations in accordance with County Code Section 25B-10(a)(6).

C-2. 24-Hour Emergency Contact

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall provide to 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 A-8 in this Ordinance.

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 in order to respond to inquiries received from the County, or from anyone in case of an emergency.

If the address or phone number of the agent should change, or the responsibility be assigned to another person or position, PPC shall provide to the Planning and Development Department the new information within seven days.

C-3. Provide Copies of Permits to P&D

PPC shall furnish to the Planning and Development Department copies of all County permit applications relative to the project once submitted, and of permits within 30 days of receipt by PPC.

D. AIR QUALITY

D-1. Statement of Scope

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

D-2. Authority to Construct

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

D-3. Agreement to Implement All Air Pollution Control Procedures

PPC agrees to implement all air pollution control procedures as required by APCD and identified in the Final Development Plan (such as water sprays to reduce construction-related fugitive dust).

D-4. Emissions Mitigation

Emissions from any project component that contribute to ozone standard violations must be mitigated to the extent feasible. Effectiveness of mitigation will be confirmed by APCD.

D-5. Deleted.

D-6. Validation Information

Prior to approval of the Final Development Plan, the permittee shall submit to the Planning and Development Department updated estimates of the type and size of helicopters, or other aircraft, to be used during pipeline operations for the aerial surveys of the pipeline route. The information shall also include the estimated operating schedules, frequency and duration of airport calls and other reasonable information as required by APCD. 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 EIR/EIS, the APCD may modify air quality permit conditions as necessary to assure consistency with the Air Quality Attainment Plan and Reasonable Further Progress goals.

D-7. Discharge Limitations

All facilities shall be designed, constructed, operated, and maintained, such that the facilities approved under this Development Plan shall not discharge quantities of air contaminants or other materials in violation of Section 41700 of the Health and Safety Code.

D-8. Mitigation Plan for Construction Air Quality Impacts

Prior to the approval of the Final Development Plan, the permittee shall submit to the Director of the Planning and Development Department a plan, approved by the APCD, which includes timing of construction, minimizing soil handling, and other measures to mitigate construction air quality impacts. The plan shall include APCD approved analysis which demonstrates that

local, state and federal air quality standards will not be violated as a result of construction activities.

D-9

For the Gaviota Creek Pipeline Lowering and Relocation project, during clearing, grading, earth moving, excavation or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to minimize dust leaving the site and to create a crust after each day's activities cease. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour. Soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. **Plan Requirements:** All requirements shall be shown on construction drawings. **Timing:** Condition shall be adhered to throughout all grading and construction periods. **MONITORING:** Planning and Development shall ensure measures are on plans. Planning and Development's EQAP monitor shall spot check and ensure compliance on-site. APCD inspectors shall respond to any nuisance complaints. *(Mitigation Measure A-1) (adopted by the Planning Commission on September 6, 2000)*

D-10

During construction of the Gaviota Creek Pipeline Lowering and Replacement project, use water trucks to keep all areas of vehicle movement damp enough to reduce dust from 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 printed on all construction drawings. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure A-2) (adopted by the Planning Commission on September 6, 2000)*

D-11

During the Gaviota Creek Pipeline Lowering and Replacement project, the permittee shall minimize the amount of disturbed area and ensure that on site vehicle speeds do not exceed 15 miles per hour. **Plan Requirements:** This condition shall be printed on all construction drawings. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure A-3) (adopted by the Planning Commission on September 6, 2000)*

D-12

For the Gaviota Creek Pipeline Lowering and Replacement project, soil stockpiled for more than two days 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. **Plan Requirements:** This condition shall be printed on all construction plans. **MONITORING:** EQAP monitor to spot check in the field. *(Mitigation Measure A-4) (adopted by the Planning Commission on September 6, 2000)*

D-13

For the Gaviota Creek Pipeline Lowering and Replacement project, heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized wherever feasible. *(Mitigation Measure A-5) (adopted by the Planning Commission on September 6, 2000)*

- a. The engine size of construction equipment shall be the minimum practical size.

- b. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number are operating at any one time.
- c. Construction equipment shall be maintained in tune per the manufacturer's specifications.
- d. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion chamber engines.
- e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- f. Diesel catalytic converters shall be installed, if available.
- g. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- h. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

MONITORING: EQAP monitor to spot check in field. *(Mitigation Measure A-5) (adopted by the Planning Commission on September 6, 2000)*

E. GEOLOGY

E-1. Geologic Investigation, Design and Mitigation Program

Prior to the issuance of the Coastal Development Permit and Land Use Permit, the permittee will conduct a route-specific Geologic Investigation, Design, and Mitigation Program. This program shall contain three basic components: 1) a detailed geologic investigation component which defines specific hazards, 2) an engineering design component which details specific engineering plans for each identified hazard along the route, and 3) a geohazards mitigation component which demonstrates how and to what extent each hazard is reduced.

- a) Detailed geologic investigation component:
Where specific hazards have been identified or may occur along the pipeline route or at pump station locations, the permittee will conduct appropriate detailed geologic, seismic, and geotechnical studies to further characterize the specific geologic hazard. These studies will be conducted under the direction of a State of California registered geologist or engineering geologist who will be mutually agreed to by the permittee, the Planning and Development, the Public Works Department, and the Flood Control District. These studies will include but not be limited to investigations of unstable slopes, erodable slopes, lurch/liquefaction susceptible substrate, surface rupture, and river scour characteristics (depth and lateral extent). Methods of investigation shall conform to appropriate geotechnical techniques applicable to each specific hazard. Draft results will be subject to review by County Public Works Department and Flood Control Agency as appropriate prior to finalization of the engineering design. The final report will be submitted with the final engineering design component.
- b) Engineering design component:
The permittee will demonstrate that appropriate geotechnical information from component a) and other applicable recommendations are incorporated into final engineering design of pipeline construction and facilities. This includes but is not restricted to: the development of appropriate ground motion parameters for use in seismic design of critical structures and equipment, unstable slope construction or avoidance techniques, burial depth at all major river crossings, modification of instrumentation, or use of the dual contingency level/operating level earthquake concept, or its equivalent. The designs will be subject to review by the Department of Public Works and third party technical review as specified in Condition P-1.
- c) Geohazards mitigation component:
Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee will submit to the Planning and Development Department a detailed geologic hazard

mitigation report. The report will outline the hazards identified in part a) of this program and will address how engineering designs as detailed in part b) of this program reduce each specific hazard. This component will also be submitted to the Department of Public Works and Flood Control Agency and will be subject to third party review as specified in Condition P-1.

E-2. Geologic Hazard Monitoring Program

PPC will develop a Monitoring Program for the operations phase to be funded by PPC and staffed as necessary with at least one State of California registered engineer, or engineering geologist, in order to evaluate any hazards identified by routine monitoring. The program will be designed to verify adequate performance or condition of the project components in hazard areas such as river and active fault crossings, and will be subject to approval of the Planning and Development Department prior to issuance of the Coastal Development Permit and Land Use Permit. The monitoring program may in part be incorporated into routine aerial and ground reconnaissance. If the monitoring indicates a potential or actual hazard, appropriate action including, but not limited to, operations curtailment and repairs, will be taken by PPC to mitigate the hazard. PPC will report to the Emergency Services Coordinator any potentially hazardous situations discovered during monitoring. In the case of river crossings at the Santa Ynez, Sisquoc and Cuyama Rivers, a yearly inspection of pipeline burial depth, subject to review by the Planning and Development Department and Flood Control Agency, shall be performed. At crossings of the Santa Ynez and Sisquoc Rivers where channel degradation has reduced the depth of cover to less than four feet below the 100-year scour depth, or other hazardous levels as determined by a professional engineer on the staff of or under supervision of the County Flood Control Agency, or US D.O.T. specifications, relocation or reburial of the pipeline to adequate depth will be required. At the crossing of the Cuyama River, if the inspections reveal that hazardous conditions exist, mitigations such as reconstruction or relocation of the crossing will be required as determined by a professional engineer on the staff of or under supervision of the County Flood Control Agency.

E-3. Inspection of Trench Prior to Pipeline Installation

Inspection of the pipeline trench or trench spoil to identify any potential geologic hazards shall be made by a professional geologist or soils engineer approved by the Planning and Development Department prior to installation of the pipeline. If hazards not previously accounted for in the pipeline design are encountered, appropriate mitigation measures will be developed and must be instigated prior to installation of the pipeline. The results of the inspection will be reported to the engineering geologist of the Public Works Department who will approve prior to, and the supervising environmental coordinator who will insure, application of the necessary mitigation measures. The timing of such inspections shall not result in any unreasonable delays in installation of the pipeline.

E-4. Isolation Valves at Active Fault Crossings

At all places where the pipeline crosses an active fault, according to the Department of Geology and Mining definitions, the permittee will place isolation valves on either side, or design and construct appropriate devices or measures which more effectively mitigate the hazard of the fault crossing. Location and nature of these designs must be approved prior to the issuance of the Coastal Development Permit and Land Use Permit.

E-5. Sisquoc Pump Station Grading and Erosion Control Plan

Prior to the issuance of the Coastal Development Permit and Land Use Permit, the permittee shall submit final Grading and Erosion Control Plans for the Sisquoc pump station approved by the

Department of Public Works. These plans shall be consistent with or based on information contained in the geologic investigation required in Condition E-1. Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall either submit Grading and Erosion Control Plans for the Las Flores and Gaviota pump stations for approval by the Department of Public Works or show evidence that the plans are a part of the overall Grading and Erosion Control Plans for the consolidated processing facilities at those sites.

E-6. Cooperation with San Luis Obispo County for Cuyama River Crossing

The permittee shall cooperate as necessary with San Luis Obispo County in the permitting, design and construction of the Cuyama River crossing. Any pipeline crossing the Cuyama River shall be laid to a depth consistent with studies performed under Condition E-1 and subject to approval of the County Flood Control District.

E-7. South Coast Pump Stations Location

Prior to approval of the Final Development Plan, the permittee shall commit to the location of their south coast pump stations to the satisfaction of the Planning Commission. If these stations are not within the boundaries of the approved Exxon, Gaviota Terminal Company, or Chevron facilities, the permittee shall submit grading and erosion control plans pursuant to Condition E-5.

E-8. Stockpiling of Earth Materials During Construction

Stockpiling of large volumes of earth materials in temporary (for construction only) work space areas in excess of those volumes needed locally for construction shall not occur except as approved by the Planning and Development Department. The permittee shall not stockpile materials on landslide prone slopes during the rainy season.

E-9. Storage of Pipe During Construction

Storage of pipe in temporary (for construction only) extra work spaces shall not occur except as approved by the Planning and Development Department.

E-10

The permittee shall implement a project specific Restoration, Erosion Control and Revegetation Plan for the Gaviota Creek Pipeline Lowering and Replacement Project in order to minimize erosion. In addition, grading shall be minimized within the creek and along the creek bank and grading on slopes greater than 5:1 shall be designed to minimize surface water runoff. **Plan Requirements:** This requirement shall be noted on construction drawings prior to approval of CDP. The applicant shall notify the Energy Division at least 48 hours prior to commencement of grading. **MONITORING:** EQAP monitor shall inspect the site during grading work to verify that erosion control measures are properly implemented. *(Mitigation Measure G-1) (adopted by the Planning Commission on September 6, 2000)*

E-11

The permittee shall limit excavation and grading to the driest season of the year to avoid the breeding season for California red-legged frog, tidewater goby, and the Southern steelhead migration season (July 1 to November 1) for the Gaviota Creek Pipeline Lowering and Replacement project, unless granted permission by the Energy Division. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on construction drawings. **MONITORING:** EQAP monitor shall inspect the site during grading to monitor dust generation and after grading

to verify reseeded. *(Mitigation Measure G-2) (adopted by the Planning Commission on September 6, 2000)*

E-12

At Gaviota Creek, the permittee shall perform an as-built profile survey of the pipeline and creek bed and develop a profile drawing showing the pipeline and creek bottom. For the first two years after installation of the new pipeline crossing, the creek bed shall be surveyed each year at the end of the rainy season. After the first two years, PPC shall re-survey after every significant flood event (i.e., 100-year event or more serious), but not less than every three years. After each creek bed profile survey, the creek bed profile shall be shown on the original as-built profile survey. **Plan Requirements:** PPC shall submit surveys to Planning and Development's geologist for review and approval. **MONITORING:** Planning and Development shall review creek elevation records and site inspect as necessary. *(Mitigation Measure G-3) (adopted by the Planning Commission on September 6, 2000)*

E-13

At Gaviota Creek, the permittee shall visually inspect the status of restoration efforts and the erosion at the pipeline crossing at least quarterly, and as requested by State Parks or Planning and Development, after installation of the new pipeline crossing. (These surveys shall be conducted at ground level, not from the air.) **Plan Requirements:** Written inspection reports shall be submitted to the Energy Division within 30 days of the inspections and surveys. PPC shall take any necessary corrective actions required to stabilize disturbed areas, as approved by the Energy Division. **MONITORING:** EQAP monitor to periodically inspect the restoration effort. *(Mitigation Measure G-4) (adopted by the Planning Commission on September 6, 2000)*

F. SURFACE AND GROUNDWATER

F-1. Downstream Flows During Construction

During construction of the pipeline across all perennial stream crossings, stream flows, if any, shall be diverted around construction areas to maintain downstream flows. Baseline water flows shall be maintained in coastal streams in order to avoid adverse impacts to lagoon or other sensitive habitats.

F-2. Sediment Retention Devices During Construction

Sediment retention devices that allow continued streamflow shall be installed directly downstream of stream crossings during construction.

F-3. Stream and River Crossings During Construction

For pipeline crossings at the following stream or river crossings: Tajiguas; Refugio; Gaviota; Nojoqui; Zaca; San Antonio Creeks, all additional perennial streams which the pipeline crosses: Santa Ynez; Sisquoc; and Cuyama Rivers, the permittee shall construct the buried pipelines during the months of low historical streamflow, in order to minimize erosion loss downstream and protect surface water quality. In the event of low winter rainfall, earlier construction may be approved by the Planning and Development Department and County Flood Control Agency.

F-4. Riparian Habitat Corridors During Construction

No staging areas shall be permitted within riparian habitat corridors.

F-5. Construction Contractors at Stream Crossings During Construction

During pipeline construction at stream crossings, construction contractors will minimize time of disturbance, narrow the construction ROW to the extent feasible, stabilize the disturbed areas immediately following construction of the crossing, and divert runoff waters around construction areas to maintain downstream flows.

F-6. Deleted.

F-7. Isolation Valves at Perennial Stream and River Crossings

The permittee shall install isolation valves on either side of all perennial stream and river crossings, including the Cuyama River, and/or as required by the Coastal Zoning Ordinance, unless the applicant can demonstrate that alternative methods will further reduce the potential leak impacts at the crossing site. These locations shall be identified prior to the Final Development Plan.

F-8. Freshwater Source During Construction

Prior to approval of the Final Development Plan, the permittee shall identify the freshwater source considered for supplying pipeline and facility construction activities including hydrostatic test water, and shall estimate the total quantity required. Any water obtained from coastal or inland sources shall not significantly disrupt streamflows, groundwater resources, or habitat resources. Water conserving devices shall be used where feasible. Any water used during construction, (exclusive of hydrostatic test water), shall contain no more than 5,000 parts per million total dissolved solids. Disposal of hydrostatic test water within the County shall be according to a plan approved by the Regional Water Quality Control Board, or by the Flood Control Agency. This information shall be provided to and approved by the Planning and Development Department as part of the Final Development Plan.

F-9. Hydrogeologic Investigations for Sensitive Areas

Prior to approval of the Final Development Plan, the permittee will perform detailed hydrogeologic investigations for the sensitive areas identified in the EIR/EIS, (Table 3-14). These investigations will be conducted by a State of California registered geologist or engineer and will include but not be limited to:

- a) definition of groundwater depth, recharge sources, properties of overlying soils, hydraulic gradient, background water quality, and existing water uses.
- b) inventory of existing wells from State or County Flood Control Agency records in an area extending down-gradient from the pipeline in the aquifer equal to the distance groundwater would move in one year at a velocity calculated from the maximum hydraulic conductivity of the specific aquifer, hydraulic gradient, and porosity. The down-gradient sensitive area will be determined by a registered geologist.

This information will be reviewed by the Planning and Development Department and used by the permittee to formulate the Groundwater Contamination portion of an Oil Spill Contingency Plan, Condition P-5. This portion of the Plan will include;

- a) plans for monitoring and early detection of groundwater contamination, including aerial and ground surveys, pipeline pressure monitoring, and water sampling of strategic wells;

- b) plans for notification of affected groundwater users, and the Emergency Services Coordinator;
- c) clean-up response, reparations, restorations, and methods to determine and correct the contamination source; and
- d) identification of emergency alternate water supplies.

F-10. Dam and Ditch Plugs in Pipeline Trenches by Aquifers

At the base of slopes where the ROW approaches sensitive aquifers as identified in the EIR/S that are at risk from oil spills and leaks, a dam or ditch plug will be used in the pipeline trench. The sensitive areas are those where the ROW follows 1) topographic slopes toward basins with shallow depth to water, 2) high vertical permeabilities, and 3) a high degree of groundwater use as indicated by the hydrogeologic investigations required as per condition F-9. These areas shall be identified in the Final Development Plan.

F-11. SSRRC Approval for All Creek and River Crossing Plans

Prior to the approval of the Final Development Plan, the System Safety and Reliability Review Committee shall review and approve submitted plans of all creek and river crossings in Santa Barbara County. Permitted development shall not cause or contribute to flood hazards or lead to the expenditure of public funds for flood control works.

G. AQUATIC BIOLOGY

G-1. Oil Spill Response Plan

Fueling and lubrication of construction equipment will not occur within 0.25 miles of any flowing streams. No more than 2 barrels of fuel shall be kept at construction sites, exclusive of pipeline construction equipment fuel tanks, within 0.25 miles of all perennial creeks. As part of the oil spill response plan, the permittee will submit plans for clean-up and restoration of affected areas in the event of a construction fuel spill.

G-2

For the Gaviota Creek Pipeline Lowering and Relocation project, all construction and grading plans shall show the precise location of the environmentally sensitive habitats within the project vicinity. **Timing:** The ESH areas should be designated on all plans prior to CDP approval. **MONITORING:** Planning and Development staff to check plans. *(adopted by the Planning Commission on September 6, 2000)*

G-3

For the Gaviota Creek Pipeline Lowering and Relocation project, during construction, washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified. **Plan Requirements:** The applicant shall designate a wash off area, acceptable to Planning and Development, on the construction drawings. **Timing:** The wash off area shall be designated on all plans prior to CDP. The washoff area shall be in place throughout construction. **MONITORING:** Planning and Development staff shall check plans prior to approval of CDP and the EQAP monitor shall site inspect throughout the construction period to ensure proper use. *(Mitigation Measure B-2) (adopted by the Planning Commission on September 6, 2000)*

H. TERRESTRIAL BIOLOGY

H-1. Restoration, Erosion Control and Revegetation Plan

H-1(j) modified 12/16/92

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall submit a Restoration, Erosion Control, and Revegetation plan for the final proposed pipeline route and the pump station sites. The plan shall be submitted to the Planning and Development Department for approval. Once approved, the plan shall be implemented by the permittee. Success of the restoration and revegetation plans shall be monitored by a qualified independent biologist who is in addition to the managing environmental coordinator (Condition C-1). The plan shall contain, but not be limited to, the following:

- (a) Procedures for stockpiling and replacing topsoil, replacing and stabilizing backfill, such as at stream crossings, and steep or highly erodable slopes. Additionally, provisions shall be made for recontouring to approximate the original topography. Excess fill shall be disposed of off-site unless suitable arrangements are made with the property owner. Excess fill shall not be deposited in any drainage, or on any unstable slope.
- (b) Specific plans for control of erosion, gully formation, and sedimentation, including, but not limited to, sediment traps, check dams, diversion dikes, culverts and slope drains. Plan shall identify areas with high erosion potential and the specific control measures for these sites.
- (c) Procedures for containing sediment and allowing continued downstream flow at stream crossings, including scheduling construction activities during low-flow periods.
- (d) Procedures for re-establishment of vegetation that replicates or is functionally equivalent to indigenous and naturalized communities along the alignment. These shall include: measures preventing invasion and/or spread of undesired plant species; restoration of wildlife habitat value; and restoration of native plant species and communities. The permittee shall consult with the County Farm Advisor and appropriate Ranch operators when developing procedures for revegetating areas used for cattle grazing and other agricultural uses;
- (e) Procedures for restoration of riparian corridor stream and river banks and stream bed substrates and elevation;
- (f) Procedures for minimizing all tree removal or tree root and branch damage, such as, flagging the corridor, keeping all disturbance to no more than the 100-foot pipeline right-of-way, feathering the right-of-way edges, providing for onsite monitoring of construction by a qualified independent biologist. In addition, special procedures are required for oak woodlands since County policy requires that these trees must not be cut down if feasible. Special procedures for oaks include reducing the right-of-way to the minimum width possible and minimizing the impact to the root zone of these trees;
- (g) Procedures for replacement of native trees and large shrubs removed from the 100-foot temporary easement during construction across riparian and woodland, in particular oak woodland, habitat, with saplings of the same species propagated from materials obtained from the same area, including provision for supplemental irrigation as necessary and feasible to ensure establishment, and provisions for protection of saplings from grazing animals;
- (h) A soil conservation program, to be applied in areas of 20 percent or greater slopes along the pipeline corridor.
- (i) Procedures for incorporating landowner concerns in the plan. Any changes to the plan instigated by such concerns shall be approved by the Planning and Development Department.

- (j) The permittee shall provide an endowment in the amount of \$841,000 to fund implementation of the Alternative Oak Mitigation Program to reestablish oak savannahs and woodlands in Santa Barbara County. (Modified 12/16/92)
- (k) The segment of the plan pertaining to Gaviota State Park shall be prepared in cooperation with the State Department of Parks and Recreation.

H-2. Impact Survey One Year After Construction

One year after construction, a survey will be conducted, at the permittee's expense, to determine the actual impact caused by construction. This survey shall include aerial photography, and as appropriate color stereo and infrared photography and field studies. The report will identify areas with potential for further impact, e.g., high erosion areas, that will require immediate remedial measures. The survey shall also contain an examination of previous mitigation measures and present a list of additional feasible mitigations based on the impacts during construction and potential impacts caused by operation. The permittee and the Planning and Development Department shall agree to additional feasible mitigations. This process shall be repeated as often as necessary by the Planning and Development Department, but not more than annually.

H-3. Sensitive Habitat Areas

In those areas where trees and other habitats such as riparian areas and oak woodlands are to be avoided within the approved corridor and temporary (for construction only) extra work spaces, the permittee shall assure contractor compliance with this condition by marking and/or fencing those resources. These areas include, but are not limited to, the sensitive resources identified by the permittee and depicted on the 1" = 400' color aerial print photographs provided by the permittee and the Environmentally Sensitive Habitat (ESH) areas identified by the Planning and Development Department. The permittee shall avoid disturbance to the tarplant restoration site established by Texaco on State Park property.

H-4. Additional Mitigation

Additional reasonable and feasible conditions of mitigation, consistent with condition H-1 and to the extent necessary, shall be identified and observed as developed during the archaeological mitigation program (conditions L-1, L-2, L-3, L-6), and as identified by the managing environmental coordinator in consultation with the permittee's Onsite Construction Representative (condition C-1).

H-5. Deleted.

H-6. Herbicides During Construction

The permittee shall not use herbicides in wetland and riparian areas, and along the rest of the pipeline corridor during construction.

H-7. Fish and Game Permit (1603)

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall receive a permit (1603) as required from the California Department of Fish and Game. This permit should include provisions to ensure that the proposed construction schedule will not interfere with reproductive activities of regionally rare or rare, threatened or endangered bird, amphibian, and fish species or other species of special concern, in those environmentally sensitive habitats identified in the EIR/EIS and shall submit this confirmation to the Planning and

Development Department. If the Department of Fish and Game determines that the construction schedule will have an impact then the permittee will adhere to directives of the Department of Fish and Game with respect to their permit requirements.

H-8. Deleted.

H-9. Hoffman's Nightshade Plan

The permittee shall minimize impacts to the population of Hoffmann's nightshade (*Solanum xanti* var. *hoffmannii*) found in the Gaviota Pass area. The permittee shall submit plans to enhance the recovery of this population to the Planning and Development Department for approval prior to issuance of the Coastal Development Permit and Land Use Permit.

These plans shall include provisions for removing any individual plants that would be affected, place them in large tubs, and replant them as near as possible to the original location (exclusive of the operation Right-of-Way) after construction; and gathering seeds prior to issuance of the Coastal Development Permit and Land Use Permit from the population of Hoffmann's nightshade located in the Gaviota Pass area and planting them in and near the ROW after construction. This shall be done under the supervision of a biologist approved by the Planning and Development Department and in cooperation with the California Parks Department; this biologist may approve modifications to these techniques based on season of the year and state of dormancy.

H-10. Catalina Mariposa Lily Plan

The permittee shall minimize impacts to the population of Catalina Mariposa lily (*Calochortus catalinae*) found in the Gaviota Pass area. The permittee shall submit plans to enhance the recovery of this population to the Planning and Development Department for approval prior to issuance of the Coastal Development Permit and Land Use Permit. These plans shall include provisions for gathering of seeds from the population found in or near the ROW prior to construction, planting the seeds in or near the ROW after construction (exclusive of the operation ROW), conserving the upper 18-24 inches of heavy clay soil which contains the plant's bulb-like corms found in the vicinity of the plants prior to construction, and then, after construction, replacing this soil which holds the plant's bulb-like corms. This shall be done under the supervision of a biologist approved by the Planning and Development Department and in cooperation with the California Parks Department; this biologist may approve modifications to these techniques based on season of the year and state of dormancy.

H-11. Refugio Manzanita Plan

The permittee shall minimize impacts to the population of Refugio Manzanita (*Arctostaphylos refugioensis*) found in Gaviota Pass area and affected by the proposed construction activities. The permittee shall submit plans to enhance the recovery of this population to the Planning and Development Department for approval prior to issuance of the Coastal Development Permit and Land Use Permit. These plans shall include provisions for gathering seeds and taking cuttings from the population of Refugio Manzanita found in and adjacent to the ROW prior to construction, and provisions for the planting of the seeds and plants propagated from cuttings in the final construction alignment (exclusive of the operation ROW) after construction. This shall be done under the supervision of a biologist approved by the Planning and Development Department and in cooperation with the California Parks Department; this biologist may approve modifications to these techniques based on season of the year and state of dormancy.

H-12. Restoration, Revegetation and Implementation Plan

The permittee shall prepare a Restoration, Revegetation and Implementation section as part of the Oil Spill Contingency Plan (P-5). The section shall be reviewed and accepted prior to start-up by the Planning and Development Department and a biologist approved by the Planning and Development Department. The section shall be submitted sufficiently prior to the permittee's projected start-up date so as to allow reasonable time for staff review. Reasonable costs of review shall be borne by the applicant. The section shall contain site-specific restoration information for all habitat types including stream crossings, wetlands/lagoons, oak woodlands, grasslands, riparian zones, and other environmentally sensitive habitats. The section shall be divided into three major areas: a) Coastal, b) Streams and Rivers and c) Terrestrial habitats. Each of these sub-sections shall discuss the various habitats in the categories listed above. Methods to achieve restoration of all affected areas to their prespill conditions shall be discussed.

H-13. Pump Station Landscaping

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall submit to the County Board of Architectural Review, and the Planning and Development site-specific plans for landscaping of any pump station not within other required project vegetation screens. This plan shall, at the permittee's expense, be reviewed by a qualified landscape architect and a biologist approved by the Planning and Development Department to insure the proper plant materials and procedures identified in these conditions are implemented. These plans shall be developed in consultation with the property owner. The plan shall include:

- (a) The specifications of any potential seed mixtures to be utilized, including the plant species in the mixture and the pounds of seed per acre to be applied; type of mulch (fiber, chemical tackifier or straw); the type and amount of fertilizer; and any provisions for irrigation;
- (b) Confirmation that all native or non-native plant materials proposed in the revegetation plan are compatible with indigenous vegetation and that none of the plants used is known to be weedy or invasive. The plan shall provide for plantings that will screen facilities from view. This vegetation screening shall also be designed to reduce nighttime lighting and noise. Near chaparral or other high fire hazard areas, the seeds or seedlings will consist of native or non-native species, shown to contain fire retardant properties (such as toyon) and shown to be fast growing;
- (c) The specifications for native seeds and seedlings that will have wildlife habitat and food value. All perennial plants, and all woody plants are to be propagated from material obtained from the same area. Native plant material is to be obtained from a revegetation contractor. All native materials will be ordered from the contractor in advance of construction activities.
- (d) Confirmation that non-native material is to be confined to disturbed areas immediately adjacent to structures needing visual screening. Such screening is to include fast growing plants adequate to screen the facility from direct view;
- (e) A detailed irrigation plan if feasible for all revegetated areas requiring irrigation for establishment of plant materials;
- (f) The permittee's commitment for continual monitoring of the revegetation so that weeds will be minimized.

H-14. Landscaping and Revegetation Bonds

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

H-15. Release of Landscaping and Revegetation Bonds

Prior to issuing a release from the bond or other security agreement, a biologist and landscape architect hired by the County, at the permittee's expense, shall conduct a field review of all revegetated and landscaped areas, to insure consistency with the intent and specifications of the revegetation and landscape plan. Necessary repairs or changes in landscaping or revegetation shall be made at the permittee's expense.

H-16. California Endangered Species Inventory

Prior to approval of the Final Development Plan, a qualified biologist approved by the Planning and Development Department will conduct site-specific field inventories for California state-listed species, as mandated by the intent and general provisions of Assembly Bill No. 3309, the California Endangered Species Act. The biologist will perform the surveys of the 100-foot ROW in areas suspected of having any of the species of special concern as identified in Appendix B Table B-6, DEIR/S, except for the peregrine falcon, least Bell's vireo, and Parish's sidalcea. Surveys for these species will be conducted prior to construction. The California Department of Fish and Game will be consulted concerning appropriate methods for survey as well as appropriate mitigation measures if these species are found on the ROW. Additional mitigation shall be developed and executed by the permittee-based on these surveys if determined necessary by the Planning and Development Department.

H-17. Raptor Nesting Habitat Survey

Prior to issuance of the Coastal Development Permit and Land Use Permit, a wildlife biologist approved by the Planning and Development Department will survey all potential raptor nesting habitats within 0.5 miles of the pipeline, to identify active and inactive nests and potential perch sites cleared by ridge-top construction. No construction will occur within 0.5 miles of active eyries during nesting season as determined by the biologist. Construction may be permitted by the Planning and Development Department in consultation with the biologist near inactive nests provided nest sites are not disturbed. Where deemed necessary by the California Department of Fish and Wildlife biologists, raptor perch or roost trees will be avoided and/or artificial roosts will be constructed on ridgelines to mitigate losses of such trees resulting from clearing the ROW on ridge tops.

H-18. Construction ROW Through Riparian Habitats

The permittee shall limit the width of the construction ROW through all riparian habitats to the extent feasible. The permittee shall submit a plan indicating the location and size of the construction ROW through all riparian habitats. These plans shall be approved by the Planning and Development Department prior to the Final Development Plan.

H-19. Construction ROW Designed to Avoid Trees

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.

H-20. Suey Canyon Oak Woodland

The permittee shall minimize impacts to the oak woodland in the Suey Canyon area. This shall be done by using existing disturbed areas and by narrowing the construction corridor to the extent feasible by working on top of the spoils pile or selectively removing spoils, selectively removing

trees (e.g. dying, or diseased trees) and revegetating to enhance re-establishment of oak saplings and/or similar mitigation.

H-21. Los Alisos Creek Crossing

The permittee shall align the pipeline route in the vicinity of the Los Alisos Creek crossing in order to minimize the amount of riparian habitat disrupted.

H-22. Parish's Checkermallow Field Survey

Prior to the issuance of the Land Use Permit, a qualified biologist approved by the Planning and Development Department shall conduct a site-specific field survey for the Parish's checkermallow along the approved right-of-way in potential habitat areas in the North County. Should any individuals be found along the right-of-way, the permittee shall employ mitigation measures approved by the Planning and Development Department to enhance the reestablishment of the species along the ROW (e.g., transplanting individuals).

H-23. Gaviota Tarplant Plan

The permittee shall minimize impacts to the population of Gaviota tarplant (*Hemizonia increscens* ssp. *villosa*) found in the Gaviota area. The permittee shall submit a plan to enhance the recovery of this population to the Planning and Development Department for approval prior to issuance of the Coastal Development Permit. This plan shall include provisions for ensuring the preservation of the current seed crop and seed stored in topsoil (seed bank) onsite. This shall be done under the supervision of a biologist approved by the Planning and Development Department.

H-24. Restoration of Construction Work Areas

Impacts to existing vegetation within the temporary (for construction only) extra work space areas shall be minimized to the extent feasible. All disturbed areas, including temporary extra work spaces, shall be restored and revegetated pursuant to the permittee's approved Restoration, Erosion Control, and Revegetation Plan (Condition H-1). Any grading of the temporary extra work space areas will require a separate Coastal Development Permit.

Use of the temporary (for construction only) extra work space areas on slopes greater than 30 percent shall be limited to spoil placement. Right-of-way restoration and revegetation on slopes greater than 30 percent shall be initiated immediately upon completion of pipeline installation.

H-25

The permittee shall implement a project specific revegetation and restoration plan for the Gaviota Creek Pipeline Lowering and Replacement project. The plan shall include, but not be limited to the following measures:

- Landscaping in the riparian corridor shall consist of native riparian species including willow (*Salix lasiolepis*, *S. laevigata*), mule fat (*Baccharis salicifolia*), wild blackberry (*Rubus ursinus*), California wild rose (*Rosa californica*) at a minimum density of 3 feet on-center. Planting stock shall be obtained from the Gaviota Creek drainage.
- The new plantings shall be irrigated as necessary to promote establishment.
- Plantings shall be fenced or otherwise protected from browsers as deemed necessary by the EQAP monitor.
- Non-native species including tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus communis*), mustard (*Brassica* sp.), star thistle (*Centaurea* sp.) shall be removed from the creek within the project area.

- Upland areas disturbed by construction shall be recontoured to pre-existing conditions (to the extent feasible) and revegetated consistent with the Restoration, Erosion Control and Revegetation Plan approved for the original pipeline project.

The plan shall include pre-established performance criteria to be used in final evaluation for bond release. **Plan Requirements:** Prior to CDP approval, the applicant shall submit the revegetation and restoration plan, prepared by a Planning and Development approved biologist, to Planning and Development for review and approval. The \$350,000 performance bond already in place for the original project shall cover performance security for the project. **Timing:** The plan must be approved prior to CDP approval. Revegetation and removal of non-natives shall be done so as to coincide with the onset of seasonal rainfall. **MONITORING:** Planning and Development staff shall site inspect for restoration. Maintenance shall be confirmed through site inspections. *(Mitigation Measure B- 1 and V-1) (adopted by the Planning Commission on September 6, 2000)*

H-26

The permittee shall comply with the mitigative provisions of the following documents:

- NMFS Biological Opinion, December 31, 1998
- USFWS Biological Opinion, January 15, 1999
- ACOE Nationwide Permit, February 22, 1999
- CDFW Streambed Alteration Agreement, March 26, 1999
- NMFS Biological Opinion, May 31, 2000

These permits and mitigation measures are considered part of the project description. **Plan Requirements:** These conditions shall be printed on all construction plans. **MONITORING:** P&D staff to ensure compliance with other agency permits. EQAP monitor to spot check in the field. *(Mitigation Measure B-3) (adopted by the Planning Commission on September 6, 2000)*

I. SOCIOECONOMICS

I-1. Oil and Gas Industry-Wide Monitoring and Mitigation Program

The cumulative impacts of oil and gas industry projects are expected to be significant to Santa Barbara County. Therefore, the permittee shall participate in an oil and gas industry wide monitoring and mitigation program to address socioeconomic impacts identified as significant environmental impacts attributable to their project. For projects such as pipelines, only the construction phase is expected to cause significant impacts, and the permittee's participation in the program shall be limited to that phase. The criteria for allocating the costs of the monitoring and mitigation program and its mitigation requirements will be uniformly applied to all industry participants.

The intent of this program is to obtain realistic information regarding impacts identified in the EIR/EIS, and to allow impacted jurisdictions to require mitigation for project-related 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 below. As subsequent details in the structure of the Program are developed by the County, 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 permittee's 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 and moderate income housing needs, and associated water demands, south coast Santa Barbara County;
- c. Public finance;
- 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 funds paid by the permittee exceed the valuation of the impacts at issue, the permittee shall be granted a credit against any other current or future mitigation fees imposed on the permittee for this permit by the County. The permittee 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. A Technical Advisory Committee will provide assistance and input in the documentation of significant adverse impacts and proposals to mitigate these significant impacts.

The Technical Advisory Committee will be composed of: two representatives from Santa Barbara's cities appointed by the Mayor's Select Committee and representing north and south county interests; one representative (each) from San Luis Obispo and Santa Barbara counties; and one representative from each affected oil and gas company (to the number of representatives agreed upon). The permittee will be included in the committee until the permittee submits its resignation.

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

Prior to approval of the Final Development Plan for this project, the monitoring and mitigation program will be refined. Based on information in the EIR/EIS and on other data as appropriate, practical thresholds which trigger the necessity for mitigation will be developed and adopted by the Department of Regional Programs with input from the Technical Advisory Committee. These thresholds will recognize the normal growth incorporated in County plans, prior and existing industry activity, and the decline of the industry if no further permitting is allowed. Methodologies used to establish thresholds and impacts will be developed in consultation with the Technical Advisory Committee.

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

The monitoring, impact and mitigation elements of the program would be equivalent to those described in the Chevron Gaviota Project conditions, but modified as appropriate for the nature of the pipeline project.

I-2. Housing for Temporary Construction Workers

Prior to approval of the Final Development Plan, the permittee shall submit to the County Department of Regional Programs a plan which details how they plan to house temporary construction workers for every month of construction. This plan, to be implemented by the permittee, shall demonstrate how the permittee plans to reduce the housing impacts identified as part of the plan; e.g. exactly how much housing is needed, where it is needed and for how long; but not limited to, the following examples:

- (a) Use of existing under-utilized hotel/motel space during the months of September through May to provide for temporary living quarters for direct construction workers by month; identification of incentives to all the direct construction workers such as rent subsidies and/or shuttle service to the site.
- (b) 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.
- (c) Methods to limit worker use of public campgrounds as living quarters. If it cannot be shown that the impact will be reduced from the estimate, the permittee shall make a donation to the California State Parks or to Santa Barbara County Parks for the development of new campsites to offset their worker use of campsites. The donation shall be made prior to receipt of the building permit and determined by multiplying the estimated cost per developed campsite times 15. If it is shown by the Regional Programs Department and the Technical Advisory Committee that there is significant impact, the above-mentioned groups shall propose mitigation.

At any point when the Board of Supervisors determines that the monitoring program demonstrates that previous mitigation funds paid by the permittee exceed the valuation of the impacts at issue, the permittee shall be granted a credit against any other current or future mitigation fees imposed on the permittee for this permit by the County. The permittee shall be entitled to accrued interest at the prevailing legal rate which shall continue to accrue until the credit is used.

I-3. Construction During Peak Tourist Seasons

The pipeline construction period will be scheduled so as not to coincide with peak tourist seasons within each construction area in Santa Barbara County, provided that this scheduling does not interfere with any other conditions in this permit with respect to timing, in particular requirements regarding construction during stream and river low-flow. If such a conflict is found, than additional measures must be taken to provide the temporary housing needs for construction workers.

I-4. Deleted.

I-5. Utilization of Local Labor

The permittee shall 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.

I-6. Project-Related Utilities and Services

Except as otherwise provided herein, if the Socioeconomic Monitoring Program shows that project-related revenues will not compensate for needed capital or operating expenditures necessary to provide project-related utilities and services additional mitigation will be required.

I-7. Distributing Oil Related Revenues

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 payments or other items of value by the permittee to Santa Barbara County or any political subdivision thereof shall automatically be suspended pending a review by the County to determine the extent, if any, 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.

J. LAND USE AND RECREATION

J-1. Property Owner Notification of Construction

Prior to construction, the entire pipeline ROW corridor shall be prominently staked. All affected property owners along the pipeline route shall be notified in writing at least 30 days prior to the commencement of any pipeline construction on their property, and at least 15 days in advance of any deviation from the staked corridor which crosses their property.

J-2. Mainline Pipeline Construction Time Lines

All mainline pipeline construction activities except river, perennial coastal stream, and ESH area crossings as specified in condition H-7, once started, shall proceed in a diligent and expeditious manner and shall be completed within nine months after the starting date, subject to necessary and/or unanticipated time extensions approved by County, in consultation with affected property owners.

J-3. Pipeline Construction Work Hours

Pipeline construction activities shall be limited to the period between 7 a.m. and 7 p.m., Monday through Saturday. Except for emergency services, construction activities shall not take place on Sundays, the dates generally recognized for Memorial Day, July 4, Labor Day, or any other similarly recognized holiday, unless previous arrangements have been made with the affected property owners.

J-4. Privacy and Security of Property Owners During Construction

Prior to approval of the Final Development Plan, the permittee shall consult with affected property owners to develop reasonable and mutually satisfactory controls for maintaining the privacy and security of affected properties while construction is in progress.

J-5. Property Owner Notification of Construction Within 48 Hours

Unless easements have been obtained from affected property owners or unless otherwise agreed to by affected property owners, the permittee shall provide affected property owners written notice at least 48 hours prior to the start of construction on their property, which shall include:

- a) Description of vehicles using roads on the property, including type, size, identification, proposed times of entry and departure, destinations, and the intended route to the destination. (Fire, medical, or similar emergency vehicles can enter as necessary.) Significant changes in the schedule of construction-related vehicular traffic shall be allowed within the 48-hour advance noticing subject to direct communication (e.g. telephone, personal communication) by the permittee with the affected property owners;
- b) Description of estimated construction schedule across the property. Any blasting necessary during construction shall be noticed to all property owners within a one mile radius of the blasting area;
- c) Description of times of limited access through and across the property, such as road closures on the property, indicating specific location, time and duration of the limited access or closure. Road closure is considered to include partial road blockage or disturbance. Suitable vehicular by-pass shall be provided during all closures;
- d) Description of any probable hazard or other unsafe condition during the pipeline construction period, indicating the nature of the hazard, the area in which the condition will occur, and the time and duration of the activity. The permittee and its contractors shall take prompt and adequate action to correct any hazard or damage that does occur during construction, and shall provide appropriate noticing as per other parts of this condition;
- e) Description of helicopter and/or vehicle reconnaissance schedules for pipeline maintenance, indicating times, stops, and duration. The permittee shall establish and enforce appropriate rules for its personnel and its contractors to assure that they will not be in the area except when necessary to carry out construction, inspection, repair and maintenance activities, or emergency services;
- f) Description of schedule for cutting any fences or similar barriers during pipeline construction.

J-6. Deleted.

J-7. Property Owner's Fences/Barriers During Construction

Unless easements have been obtained from affected property owners or unless otherwise agreed to by affected property owners if and when fences or other similar barriers must be cut during pipeline construction, the permittee shall provide advance notice to the affected property owner, and shall replace the function of the cut fence before the cut is made to the satisfaction of the property owner, and the permittee and its contractors shall restore all fences that have been cut, moved, or damaged to at least their condition prior to pipeline construction, except that gates or similar structures may be added as approved to provide access.

J-8. Utility Lines and Services During Construction

Interruption of telephone, electrical power, water or other utility services shall be minimized to the extent feasible during the pipeline construction period. The permittee, or its contractors, shall contact each property owner or the appropriate utility regarding the location of utility lines, and all such utility line locations shall be staked by the permittee or its contractors prior to the start of construction on the affected property.

J-9. Compliance with All Applicable County Statutes, Etc.

During the pipeline construction period in the County, the permittee and its contractors shall comply fully with all applicable statutes, ordinances, rules and regulations, including traffic regulations, of the County.

J-10. Proof of ROW Prior to Construction

Prior to entering upon any parcel of property for purposes of commencing construction, the permittee shall demonstrate to the Planning and Development Department that it has obtained a right-of-way for such parcel or otherwise has obtained the right to enter the property for purposes of constructing the pipeline.

J-11. Restricted Use of ROW After Construction

Following installation of the pipeline, use of the right-of-way is restricted to operational maintenance of the pipeline except where expressly permitted by the easement or landowner and consistent with other regulations and conditions.

J-12

The permittee shall implement the sign plan approved by State Parks, and dated August 11, 2000, prior to beginning work on the Gaviota Creek Pipeline Lowering and Relocation project. **MONITORING:** EQAP monitor to check in field. *(adopted by the Planning Commission on September 6, 2000)*

K. TRANSPORTATION

K-1. Worker Transportation Program

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall submit to the Planning and Development Department and the Department of Public Works, Road Division a worker transportation program designed to minimize traffic-related impacts. The plan shall identify on- and off-site parking areas, access routes, shuttle program to reduce number of working vehicles on and along pipeline construction corridor, measures to avoid traffic conflicts with residents using all roads affected, number of vehicles accessing the facilities sites and incentives for ride-pooling/van-pooling to the sites. Construction worker traffic and parking shall not interfere with normal and reasonable uses of private property or recreational areas. This Construction Traffic Mitigation Plan shall be submitted by the permittee and approved by County prior to initiation of construction. The program must consider both the permittee employees and contractors.

K-2. Permanent Parking Areas at the Pump Stations

Any new permanent parking areas at the pump stations shall be screened from public view pursuant to the landscape plan approved by the Board of Architectural Review.

K-3. Engineering Plans for All Pipeline Crossings of County Roads

The final engineering plans and procedures for all pipeline crossings of County roads must be approved prior to issuance of the Land Use Permit and Coastal Development Permit by the Department of Public Works. Notification of such approval must be submitted to the Planning and Development Department prior to construction at the site.

K-4. Pipeline Construction Activity Limited to ROW

All pipeline construction activity, except ingress and egress along routes approved by the Planning and Development Department and in consultation with affected property owners, shall be limited to the final staked right-of-way on the final approved pipeline route. Use of any private roads or other areas shall be allowed only after advance approval from the affected property owners.

K-5. Mitigation Plan for Impacted County Roads

Prior to the Final Development Plan, the permittee must submit to the Public Works Department for approval a plan to mitigate impacts to all County roads which will be used during construction. This plan will include the type of vehicles and machinery which will traverse the roads, the frequency of road use for each piece of equipment and vehicle, and the gross vehicle weights loaded and unloaded. This includes the above information for trucks carrying pipe, fuel, construction supplies, or construction crews through the County to the construction spreads. This plan shall include an agreement with the County to repair any obvious damage to the satisfaction of the Public Works Director and any reasonable fees associated with eventual reconstruction caused by project-related damages of the public roads. Prior to drafting this agreement, County shall coordinate with the permittee in compiling a list of County roads which will be used for construction of the pipeline. The permittee shall demonstrate property owner (or Court) approval of private road maintenance plans or terms on privately owned parcels to the Planning and Development and Public Works Department prior to entering upon said parcels for purposes of commencing construction.

K-6

If repairs are necessary to roads used by construction equipment for the Gaviota Creek Pipeline Lowering and Relocation project, the permittee shall either complete the repairs or provide funding as determined by State Parks, County Public Works or Caltrans. **MONITORING:** EQAP monitor to visually inspect roads before and after the construction period. *(adopted by the Planning Commission on September 6, 2000)*

K-7

The permittee shall provide workers at the access road gate and the work site to manage traffic by radio for the duration of the Gaviota Creek Pipeline Lowering and Relocation project. The permittee shall coordinate with PAPCO/PANGL and any subcontractor normally requiring access to the site. **MONITORING:** EQAP monitor to check in field. *(adopted by the Planning Commission on September 6, 2000)*

L. CULTURAL RESOURCES

L-1. Cultural Resources Surveys Plan

Prior to approval of the Final Development Plan, the permittee shall submit a plan detailing the methods for the Phase I (walkover) and Phase II (site importance assessment) cultural resources surveys. In addition, the permittee shall submit all Phase I cultural work completed to date. These reports shall be approved by the Planning and Development Department as part of the Final Development Plan. Prior to issuance of the Land Use Permit and Coastal Development Permit, the permittee shall complete Phase I and Phase II cultural resource surveys for the entire route. The results of these surveys shall be approved by the Planning and Development Department prior to issuance of said permits. The permittee shall avoid to the maximum extent feasible all known cultural resource sites along the pipeline route unless safety (e.g. seismic or engineering practices) considerations or sensitive biological habitats preclude avoidance.

L-2. Cultural Resources Mitigation Plan

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee, in consultation with the Native American Community, shall commence the cultural resources mitigation plan, in accordance with CEQA Appendix K, County approved Prehistoric Archaeological Guidelines, and section 4.1.1.11, Cultural Resources, of the EIR/EIS. Implementation of the mitigation plan shall proceed on an expeditious and effective schedule in order to minimize or to avoid conflicts with other construction scheduling requirements delineated in other permit conditions. The main components of the mitigation plan shall include:

- a) Selection of a qualified archaeologist by the County Resource Management Department in consultation with Native American representatives. The archaeologist shall be available on an as-needed basis through the completion of pipeline construction. The archaeologist shall be funded by the permittee and shall be responsible to the County Planning and Development Department. Compensation shall cover all excavation, analysis, and report preparation for all areas investigated including those found during construction;
- b) Avoidance of known sites wherever feasible;
- c) 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 or other requirements and will result in appropriate data recovery as a mitigation measure;
- d) Inclusion of Native American representatives in all field activities;
- e) Additional sub-surface sampling (use of shovel test pits) in defined sensitive areas which will be affected by project construction to confirm the presence/absence of previously unknown (undiscovered) sites. This will include surveying of proposed construction access road areas, once identified by the permittee. Any new sites found shall be treated as per condition L-2(b, c);
- f) Following the determination of site importance, the permittee shall inform the County of any additional plans for site avoidance. For those sites not avoided, the consulting archaeologist shall, in consultation with the Native American community, prepare site-specific mitigation (excavation/data recovery) plans; and
- g) Implementation and completion of the field work aspects of the site-specific mitigation plans prior to construction in the vicinity of the resource.

L-3. Pre-Construction Workshop with Native Americans

Prior to pipeline installation activities, the permittee 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.

L-4. Archaeologist and Native American On-Site During Construction

During pipeline installation, a Planning and Development Department approved archaeologist and Native American consultant(s) will work with the contractor during trenching to insure continued avoidance. Adequate monitors shall be provided pursuant to an agreement between the Native American representatives and the permittee, and the archaeologist retained.

L-5. Ownership of Non-Burial Associated Cultural Resource Artifacts

If non-burial associated cultural resource artifacts are recovered during pipeline installation (the location of such artifacts being unknown prior to installation), ownership of such artifacts shall be the option of either the permittee, the Native American Community, or the archaeological community. In recognizing the origin of the materials, the Native American Community shall

have the first option for ownership. The disposition of the artifacts shall be carried out as per the approved County guidelines.

L-6. Burial Associated Artifacts Found During Construction

If burials or burial associated artifacts are found during installation (that were unknown prior to excavation), and cannot be avoided because of safety considerations, there shall be no further excavation or disturbance of the site. The permittee, 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 site area.

L-7. Phase II Cultural Resource Guidelines

If the County cultural resource guidelines for Phase II are modified and approved prior to November 19, 1985, the permittee shall abide by the requirements set forth in the guidelines in place at the time of Final Development Plan approval.

L-8

For the Gaviota Creek Pipeline Lowering and Relocation project, construction envelopes shall be restricted to those areas shown on the site plans dated 8/4/99, in order to avoid impacts to the cultural resources. No construction, earth disturbance or construction equipment shall occur or operate outside of these areas. Subsurface structures including septic systems and utilities and accessways including roads, driveways and utilities shall not be placed outside the envelopes. Envelope boundaries shall be staked in the field. Prior to vegetation removal, the proposed easternmost staging area must be delineated and an archaeologist must verify that the staging area is not located over either of CA-SBA-2067/H's recorded historic adobe foundations or that adequate matting (as determined by the Gaviota State Park's archaeologist) is placed over the foundations. **Plan Requirements:** Construction envelopes shall be shown on all grading and building plans. This condition shall be noted on all final plans to describe the activities disallowed outside the approved envelopes. **Timing:** Construction drawings shall be submitted to Planning and Development prior to CDP. Envelopes shall be staked prior to start of grading or structural development. **MONITORING:** During plan check, the planner shall ensure that all construction is to occur within approved envelopes. Staking shall be checked during pre-construction meeting. Planning and Development's EQAP monitor and planners shall inspect and photo document during all construction phases to ensure development is confined to construction envelopes and that staking remains in place during site grading and construction. *(Mitigation Measure AR-1) (adopted by the Planning Commission on September 6, 2000)*

L-9

At the commencement of project construction for the Gaviota Creek Pipeline Lowering and Replacement Project, the archaeological monitor shall give all workers associated with earth-disturbing procedures an orientation regarding the possibility of exposing unexpected cultural remains and directions as to what steps are to be taken if such a find is encountered. **MONITORING:** EQAP monitor to verify orientation is conducted at meeting. *(Mitigation Measure AR-2) (adopted by the Planning Commission on September 6, 2000)*

L-10

For the Gaviota Creek Pipeline Lowering and Replacement project, all earth disturbances including scarification and placement of fill within the archaeological site area shall be monitored by a Planning and Development-qualified archaeologist and a Native American Consultant pursuant to County Archaeological Guidelines. **Plan Requirements and Timing:**

Prior to commencing work, a contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description and scope of work, shall be prepared. The scope of work must be submitted to Planning and Development for review and comment. **MONITORING:** Planning and Development planners shall confirm monitoring by archaeologist and Planning and Development's EQAP monitor shall spot check field work. *(Mitigation Measure AR-3) (adopted by the Planning Commission on September 6, 2000)*

L-11

In the event archaeological remains are encountered during grading for the Gaviota Creek Pipeline Lowering and Replacement project, work shall be stopped immediately or redirected until a Planning and Development qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on construction drawings and submitted to Planning and Development prior to CDP. **MONITORING:** EQAP monitor shall spot check in the field. *(Mitigation Measure AR-4) (adopted by the Planning Commission on September 6, 2000)*

L-12

If human remains are unearthed during the Gaviota Creek Pipeline Lowering and Replacement project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendent of the deceased Native American. **Plan Requirements/Timing:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor shall spot check in the field. *(Mitigation Measure AR-5) (adopted by the Planning Commission on September 6, 2000)*

M. VISUAL RESOURCES

M-1. Board of Architectural Review Approval

All facility design (e.g. pump stations, landscaping and signs), shall be in accordance with a plan approved by the County Board of Architectural Review (BAR) including the criteria outlined in the Coastal Zoning Ordinance Section 35-87.9 and Section 35-184. Prior to the issuance of the Land Use Permit and Coastal Development Permit, the permittee shall submit to the BAR and the Planning and Development Department and obtain their approval of a plan demonstrating that Conditions M-2 through M-5 are met. For visual screening of surface equipment along the pipeline route, the permittee shall consult with each affected property owner during development of the associated landscaping plan.

M-2. Exterior Lighting

No unobstructed or unshielded beam of exterior lighting shall be directed towards any area outside the exterior boundaries of PPC's property or easement. Any 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 pump stations.

M-3. Pump Station Facilities Lighting

To the extent feasible no glare or other radiation resulting from pump station facilities, other than lighting fixtures constructed pursuant to this Development Plan, shall be detectable at any point along or outside the required screening along exterior boundaries of the pump stations.

M-4. Painting of Pump Stations Prior to Pipeline Operation

Prior to the pipeline operation, the Gaviota pump station, visible from Highway 101 and the Gaviota Village, the Sisquoc pump station visible from public viewshed, and all above ground portions of the pipeline shall be painted to harmonize with the surrounding area.

M-5. Visibility of Above-Surface Structures

No above-surface structures except necessary pipeline markers, pump stations, cathodic test stations, necessary fencing, and block valves shall be visible along this route after the completion of pipeline construction. Signs shall not detract from scenic areas or views from public roads to the extent feasible.

M-6. Determination of ROW in Gaviota State Park

Prior to construction, the permittee will review the feasibility of implementing mitigation measures and/or realignments in the Gaviota State Park area to avoid blasting of ridgetops and alteration of topography in a scenic area. The permittee shall submit a plan to the Planning and Development Department, for review and approval, which identifies the feasibility of shifting the ROW alignment to the west, leaving the ridge profile undisturbed. The plan shall include an investigation of utilizing prefabricated pipeline bends to allow for alignment around ridgetops, the use of stepped benches in steep terrain, and the future use of such a corridor for additional pipelines.

M-7

Any exterior night lighting installed on the project site for the Gaviota Creek Pipeline Lowering and Replacement project shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the project site and prevent spill-over onto adjacent areas, especially U.S. Highway 101. In addition, the permittee shall consult with Caltrans on the location and type of lighting to be used to ensure it does not present a traffic hazard. **Plan Requirements and Timing:** This requirement shall be printed on all construction drawings prior to issuance of Coastal Development Permit (CDP). The permittee shall provide Planning and Development with a letter documenting their coordination efforts with Caltrans prior to CDP. **MONITORING:** EQAP monitor to confirm no impacts from night lighting. (*Mitigation Measure V-2) (adopted by the Planning Commission on September 6, 2000)*

N. NOISE

N-1. Noise Monitoring and Control Plan

Prior to issuance of the Coastal Development Permit and Land Use Permit, the permittee shall file with the Planning and Development Department a Noise Monitoring and Control Plan which has been approved previously by the Department of Health Care Services and the Planning and Development Department. The plan shall describe the best efforts the permittee shall take to reduce the noise impacts of the project both during construction and operation of the project. The approved plan shall be implemented by the permittee 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 N-2 through N-6 below are included.

N-2. Sound Levels During Operation

Except for motor vehicles and motorized construction equipment, all facilities shall be designed, constructed, operated and maintained such that sound levels during operation do not exceed 70 dbA at or beyond the property line or pipeline easement, as measured on the "A" weighted scale at slow response on approved sound level measuring instruments. Affected property owners along the pipeline route shall be notified by PPC at least 48 hours in advance of any planned testing or maintenance of the line which may exceed noise standards. The facility shall comply with all standards established in the Noise Element of the Comprehensive Plan and the Coastal Zoning Ordinance. No residents, teachers, students and staff at the Vista del Mar School shall be subjected to greater than a 9 dbA increment above the baseline ambient noise level, nor greater than a 3 dbA increase in day-night sound levels. The best available technology, including but not limited to muffling equipment, sound barriers, and landscaping measures shall be used to minimize operational noise impacts.

N-3. Project-Related Noise During Construction

During the construction and operation phases, project-related noise at the Gaviota State Park, Vista del Mar School, Buellton area, or other points which may be impacted (as determined by the Health Care Services Director), shall be minimized between the hours of 7:00 a.m. and 10:00 p.m. Prior to construction in the impacted areas, the permittee will notify all residents within 1200 feet of the pipeline that noise impacts may occur during specific construction periods. Noise shall be limited to 50 dbA between the hours of 10:00 p.m. and 7:00 a.m., consistent with the County Noise Element and the Coastal 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.

N-4. Noise Generating Activities During Construction

As determined by the Planning and Development Department, noise generating project activities (including delivery of construction equipment through residential areas) 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, the permittee shall take additional feasible steps to reduce the noise levels or further restrict the offending activity.

N-5. Helicopter and Aircraft Noise

Prior to approval of the Final Development Plan, the permittee shall submit to the Director of the Planning and Development Department procedures that the permittee will take to minimize noise impacts from helicopters, or other aircraft during the aerial surveys of pipeline. The procedures, to be approved by the Planning and Development Department, shall specify overflight routes to be taken to minimize noise impacts to the community and other feasible measures. The permittee shall direct its contractors to abide by the helicopter procedures and shall take reasonable corrective action if complaints arise concerning the use of helicopters. Subject to flight safety considerations, the permittee shall avoid helicopter flights over residential areas.

N-6. Operation-Related Equipment Noise

All construction and operation-related equipment shall be operated and maintained to minimize noise generation, ground vibration, and to avoid interference with radio or video communications.

N-7

For the Gaviota Creek Pipeline Lowering and Replacement project, construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 5:00 p.m. No construction shall occur on State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities are not subject to these restrictions. For the final pipeline segment tie in activities, work may continue beyond these hours as authorized by State Parks. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor shall spot check and respond to complaints. *(Mitigation Measure N-1) (adopted by the Planning Commission on September 6, 2000)*

O. ABANDONMENT

O-1. Removal of Pipeline and Pump Stations Upon Permanent Shut Down

Immediately following permanent shut down of the pipeline, PPC/Sable shall remove abandoned pump stations and unburied portions of the pipeline within Santa Barbara County constructed under this permit, recontour the site and revegetate the site in accordance with a County approved revegetation plan within one year of permanent shut down. PPC/Sable shall post a performance bond to insure compliance, or continue to pay property taxes as assessed during project operation until site restoration is complete, as determined by the County.

P. SYSTEMS SAFETY AND RELIABILITY

P-1. SSRRC Review of Diagrams

The permittee shall submit all appropriate pump station, valve, and pipeline construction and process diagrams to a System Safety and Reliability Review Committee (SSRRC) who may employ a third-party technical review in order to evaluate pipeline design and help identify possible design hazards prior to construction. The System Safety and Reliability Review Committee shall consist of a representative from the County Public Works Department, the APCD, the County Fire Department, County Flood Control District and the Planning and Development Department. All reasonable costs associated with any County review shall be borne by the permittee. The permittee shall be entitled to participate fully in the review process. If the review reveals a concern, the SSRRC shall share its findings with the permittee. If the permittee does not agree with the findings, the County's recourse is with the Department of Transportation, Office of Pipeline Safety for areas of pipeline construction under the jurisdiction of 49 CFR Part 195 (Transportation of Hazardous Liquids by Pipeline), with the exception of areas/issues agreed to by the permittee and the County.

P-2. Safety Inspection, Maintenance and Quality Assurance Program

The permittee shall submit a detailed Safety Inspection, Maintenance and Quality Assurance Program for the pump stations, valves, and the pipeline which shall be implemented during construction and operations. The Program shall include, but not be limited to, inspection of construction techniques, regular maintenance and safety inspections, periodic safety audits, corrosion monitoring and leak detection, inspections of all trucks carrying hazardous and/or flammable material.

The construction section of the Program shall be reviewed by the System Safety and Reliability Review Committee and/or its consultants prior to issuance of the Coastal Development Permit and Land Use Permit. The permittee shall fund a full-time U.S. Department of Transportation (or designated representative) pipeline inspector during pipeline construction phase activities. The

operations section of the Program shall be reviewed by the System Safety and Reliability Review Committee and/or its consultants prior to start-up. The Program shall be submitted sufficiently prior to the permittee's projected start-up date so as to allow reasonable time for staff review. All costs associated with this review process shall be borne by the permittee. Should the Committee find fault with these submissions, it will indicate its concerns to the permittee. If the permittee decides not to modify its plans to meet these concerns, the County's recourse is with the Department of Transportation, Office of Pipeline Safety for all areas under the jurisdiction of 49 CFR Part 195 (Transportation of Hazardous Liquids by Pipeline). In such a case, County shall timely notify DOT of review findings. Permits may not be withheld or suspended due to County concerns which are under the jurisdiction of 49 CFR Part 195 (Transportation of Hazardous Liquids by Pipeline), with the exception of areas/issues agreed to by the permittee and the County.

P-3. Emergency Response Plan

The permittee shall submit an Emergency Response Plan detailing response procedures to be implemented by the permittee for accidental events affecting public safety and the environment. This plan shall be based on a comprehensive risk analysis reviewed by the System Safety and Reliability Committee (condition P-1). The plan shall be reviewed and approved by the County Emergency Services Coordinator, the Fire Department, and the Planning and Development Department prior to start-up. Approval of the Plan shall be based on its consistency with the County's Area-Wide Oil and Gas Emergency Response Plan. The Program shall be submitted sufficiently prior to the permittee projected start-up date so as to allow reasonable time for staff review. The permittee shall demonstrate the effectiveness of the Emergency Response Plan by responding to one emergency response drill prior to or immediately after start-up.

P-4. Funding the County Emergency Response Plan

In order to assure that County emergency response procedures adequately interface with the permittee's emergency response procedures, the permittee 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 oil industry operators to aid in funding of the County Emergency Response Plan. When available, the Planning and Development Department shall provide the permittee with an estimate of the pro rata share of funds to be provided by the permittee and the method for allocating such costs among other operators.

P-5. Oil Spill Contingency Plan

The permittee shall submit an Oil Spill Contingency Plan detailing cleanup procedures and restoration procedures to be employed in the event of a spill. This plan shall be reviewed and approved by the Planning and Development Department and the County Emergency Services Coordinator prior to start-up. The Program shall be submitted sufficiently prior to the permittee projected start-up date so as to allow reasonable time for staff review. Procedures and techniques shall be selected to augment the Emergency Response Plan. The intent of the Oil Spill Contingency Plan is to detail spill site restoration subsequent to emergency response. The plan shall be approved based on its consistency with the intent of the condition "to detail site restoration subsequent to emergency response."

P-6. Site Security Plan

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

P-7. Temporary County Fire Company

The permittee shall cooperate with Chevron as necessary to facilitate the establishment of a temporary County fire company until the completion of the fire station (as specified in Chevron condition P-9). Prior to issuance of the Coastal Development Permit and Land Use Permit, the County Emergency Response Coordinator and Fire Department must be satisfied that provisions have been made to establish an operational fire company in the project area.

P-8. Cooperation with Chevron for Gaviota Area Fire Station

Prior to approval of the Final Development Plan, the permittee shall agree to participate in a plan to be submitted to the County Fire Department by Chevron USA Inc., for the construction, manning and equipping of a fire station in the Gaviota area. The permittee shall contribute their pro rata share of the cost of implementing this plan. When available, the Planning and Development Department shall provide the permittee with an estimate of the pro rata share of funds to be provided by the permittee and the method for allocating such costs among other operators.

P-9. Fire Protection Plan for the Pump Stations

Prior to Final Development Plan, the permittee shall submit to and obtain conceptual approval from the Fire Department, a Fire Protection Plan for the pump station locations. Final approval shall be obtained prior to start-up. Criteria to be addressed shall be obtained from the County Fire Department.

P-10 Transporting LPGs and NGLs Through Pipelines

Prior to approval of the Final Development Plan, the permittee shall assess the feasibility of transporting liquefied petroleum gases and natural gas liquids, (LPGs and NGLs) through the proposed pipeline by blending and/or batching, considering industry-wide projected volumes and market destinations of the gas liquids. The permittee shall report to the Planning and Development Department the results of this assessment, and this information shall include all technological and safety constraints involved, amount and type of additional storage facilities needed, and the degree to which LPGs and NGLs produced in the area can be transported through the pipeline. PPC/Sable shall transport the NGLs through this pipeline, to the extent feasible within safety and legal constraints as identified by the report and as requested by the users. In addition, under the reporting provisions of Condition C-1, PPC shall inform the County of the types and amounts of gas liquids shipped in the pipeline during operations.

P-11. Vista del Mar School Accommodation

If the Vista del Mar School has not been relocated or is located at a site where it could be impacted by construction activities, prior to approval of the Final Development Plan, the permittee and the Board Trustees of the Vista Del Mar School District shall develop a reasonable and mutually agreeable construction plan for the pump station site and pipelines adjacent to the site that will minimize construction-related noise, air pollution, and visual disturbance to the School during school hours. Said construction plan shall include the following: Pipeline construction noise near the School shall be held to ambient noise levels or construction shall occur only when school is not in session; to prevent exceedance of the California one-hour NO₂ standard, construction schedules must be modified to minimize overlapping of equipment emissions; and, during construction of

the pipeline, activities nearest the school shall be scheduled when school is not in session in accordance with Condition B-5 and temporary barriers shall be erected around noisiest activities. No grading for the Gaviota pump station shall occur during School session hours.

In the event that any agreements contained herein cannot be reached on the construction plan, the Board of Supervisors shall arbitrate any dispute.

P-12. Deleted.

P-13. Communication at the Operations Control Center and Activated Valves

The permittee will design the pipeline such that the entire pipeline will have effective control communication between the operations control center and all remotely activated valves. Any break, rupture, and/or damage to the pipeline shall result in the orderly shutdown of the pumping operations, and will activate the shut off valves, if appropriate, in a manner which will minimize environmental damage.

P-14. Compliance with the Watershed Fire Protection Plan

During construction of the pipeline in fire sensitive areas, the permittee shall meet or exceed applicable guidelines and requirements set forth in a Watershed Fire Protection Plan provided by the combined local fire protection agencies, Santa Barbara County Fire, U.S. Forest Service, and the California Department of Forestry. This shall include, but not be limited to: modifications of welding operations, required fire patrolman position(s), firefighting equipment, and construction restrictions due to extreme fire weather.

P-15. Compliance with the National Fire Protection Association Standards

All facilities, construction activities and equipment shall comply with National Fire Protection Association standards.

P-16. Map of Finished Pipeline Route

Upon completion of pipeline construction, the permittee shall provide all jurisdictional agencies (S.B. County Fire, USFS, CDF) with at least two copies of maps showing the finished pipeline route and shall include locations accessible by fire department emergency response vehicles. Said maps shall be 7 1/2 minute quadrangle scale, (one inch equals 24,000 inches), and shall represent topographical features.

P-17. Compliance with the 1982 Uniform Fire Code

The permittee shall be subject to required fire department inspections during and after construction as set forth by the 1982 Uniform Fire Code and these conditions.

P-18. Alternative Pipeline Corridor Alignments

Prior to approval of the Final Development Plan, the permittee shall designate alternative pipeline corridor alignments which avoid the two potentially impacted, proposed alternative permanent relocation school sites now under study by the Vista del Mar Union School District. These proposed alternative locations are the State Park at Las Cruces, and the Tajiguas Ranch property. County shall review and approve said alternative alignments as part of the Final Development Plan and the permittee shall implement the appropriate alternative alignment depending on the permanent school relocation site chosen by the Vista del Mar School District.

P-19. PCB Contamination at Canada de la Huerta

Prior to initiation of any pipeline construction at Canada de la Huerta, the permittee shall demonstrate to the satisfaction of Environmental Health Services that either: (1) no PCB contamination exists in the road and fill area across which the pipeline alignment is proposed; or, (2) that any PCB contamination detected has been adequately remediated. The permittee shall submit verification of Environmental Health Services' approval for construction to the Planning and Development Department prior to issuance of the Coastal Development Permit for pipeline construction in the Canada de la Huerta area.

P-20. Soil Tests at the Booster Pump Site

To determine the potential for hazardous materials contamination, AAPLP the permittee shall conduct soil tests at the booster pump site prior to construction, in coordination with the County Environmental Health Services Division.

P-21. Texaco's Emergency Access Road

The permittee shall not operate construction equipment on Texaco's emergency access road except to gain access to and from the construction site.

P-22

The permittee shall coordinate with PAPCO/PANGL to stake their pipelines prior to any excavation work for the Gaviota Creek Pipeline Lowering and Relocation project. Also, the permittee shall stake their existing 30" crude oil line prior to any excavation work. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** The EQAP monitor shall verify that the pipelines have been staked prior to construction. *(Mitigation Measure R-2) (adopted by the Planning Commission on September 6, 2000)*

P-23

For the Gaviota Creek Pipeline Lowering and Relocation project, if necessary, equipment needed within the creekbed should access the site from the west side so as not to cross the existing oil and gas lines. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify compliance in the field. *(Mitigation Measure R-3)(adopted by the Planning Commission on September 6, 2000)*

P-24

If any discolored or contaminated soil is encountered during construction of the Gaviota Creek Pipeline Lowering and Relocation project, the permittee shall suspend work activities in the immediate area and report to Protection Services Division (PSD) and the Energy Division immediately. PSD shall inspect the site with the permittee and shall determine the extent of the contamination. The permittee shall proceed as directed by PSD and the Energy Division should contamination be found. Such direction may include preparation of a Site Assessment and Work Plan, and site remediation if deemed necessary. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify compliance in the field. *(Mitigation Measure R-4) (adopted by the Planning Commission on September 6, 2000)*

P-25

Portable catch basins shall be placed beneath cut points prior to and for the duration of cutting activities for the Gaviota Creek Pipeline Lowering and Relocation project. A vacuum truck shall be onsite until all pipeline drainage and repair operations are completed. **Plan Requirements:** These requirements shall be printed on construction drawings. **MONITORING:** EQAP

monitor to verify compliance in the field. (*Mitigation Measure R-5) (adopted by the Planning Commission on September 6, 2000)*)

P-26

Following installation of the new pipeline segment at Gaviota Creek, use of the right-of-way shall be restricted to the pipeline easement. **MONITORING:** EQAP monitor to spot check in the field. (*adopted by the Planning Commission on September 6, 2000*)

P-27

The permittee shall, at all times during construction of the new pipeline segment at Gaviota Creek, provide onsite fire protection (water tanker, shovels and fire extinguishers). **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to spot check in the field. (*Mitigation Measure F-1) (adopted by the Planning Commission on September 6, 2000)*)

P-28

For the Gaviota Creek Pipeline Lowering and Replacement project, a fire watch shall be maintained for at least one half hour after completion of cutting or welding operations to detect and extinguish smoldering fires if operations occur within 10 feet of combustibles. Hot work permits and fire watch operations shall be coordinated through County Fire. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to monitor in the field. (*Mitigation Measure F-2) (adopted by the Planning Commission on September 6, 2000)*)

P-29

If welding trucks are used for the Gaviota Creek Pipeline Lowering and Replacement project, the vehicles shall be inspected and a permit issued at Fire Station 18. This would ensure that all hoses are adequate, a fire extinguisher is available, and a spark arrester is installed on any motor. **Plan Requirements:** The permittee to acquire a permit from Station 18. **MONITORING:** EQAP monitor to verify permit received prior to construction. (*Mitigation Measure F-3) (adopted by the Planning Commission on September 6, 2000)*)

P-30

The permittee shall notify the Fire Department at least 48 hours before construction may begin for the Gaviota Creek Pipeline Lowering and Replacement project. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to verify prior to construction. (*Mitigation Measure F-4) (adopted by the Planning Commission on September 6, 2000)*)

P-31

The permittee shall clear vegetation 10 feet on each side of the PAPCO/PANGL vault access road, staging areas, and along access portions of the pipeline right-of-way to 6 inches prior to construction of the Gaviota Creek Pipeline Lowering and Replacement Project. Vegetation near the cultural site at the Road 28 gate shall be hand cut to avoid adverse impacts to the site. **Plan Requirements:** This condition shall be printed on construction drawings. **MONITORING:** EQAP monitor to field check prior to construction. (*Mitigation Measure F-5) (adopted by the Planning Commission on September 6, 2000)*)

Q. FACILITY DESIGN

Q-1. Demonstration of Compliance

The Final Development Plan shall demonstrate compliance with Santa Barbara County Coastal Zoning Ordinance, and other applicable County Ordinances to the extent required by this permit.

Q-2. Energy Conservation Techniques

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

Q-3. Common Carrier Pipeline

PPC's facilities will be operated as a common carrier pipeline with access for use available on a nondiscriminatory basis. County retains the right to verify that the use of the facilities is conforming with County policies on consolidation and to impose additional reasonable 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 access of oil transportation facilities.

Q-4. Compliance with County Petroleum Ordinance No. 2795

PPC shall comply with all applicable policies in Section 25 of the Santa Barbara County Petroleum Ordinance No. 2795.

Q-5. Power Transmission Lines

The permittee shall fund a pro-rata share of the costs to bury power transmission lines or of using environmentally and aesthetically preferred poles between the Goleta Substation and Gaviota in areas where the County and SCE determine it is not feasible to bury the lines. The permittee's pro-rata share shall be based upon an equitable cost-sharing formula applied to all users of the grid power consistent with PUC rate setting and applicable regulations.

Attachment C – CEQA Notice of Exemption

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Jacquelyn Ybarra, Planner, Energy Minerals & Compliance Division

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: Various **Case No.:** Not Applicable

Location: 12000 Calle Real, Goleta California, and 122 linear miles beginning at the Las Flores Pump Station to the Pentland Delivery Point

Project Title: Sable Offshore Corporation Change of Owner, Change of Guarantor, and/or Change of Operator for the Santa Ynez Unit, POPCO Gas Plant, and Las Flores Pipeline System

Project Applicant: Sable Offshore Corporation (Sable)

Project Description: Applicant requesting approval of the following:

1. A Change of Owner, Change of Operator, and Change of Guarantor of the Santa Ynez Unit Onshore Facilities, Final Development Plan Permit No. 87-DP-32cz (RV06), from ExxonMobil Corporation to Sable;
2. A Change of Operator and Change of Guarantor of the Pacific Offshore Pipeline Company Gas Plant, Final Development Plan Permit No. 93-FDP-015 (AM03) from ExxonMobil Corporation to Sable; and
3. A Change of Operator and Change of Guarantor of the Las Flores Pipeline System, Final Development Plan Permit No. 88-DPF-033 (RV01)z, 88-CP-60 (RV01)(88-DPF-25cz;85-DP-66cz; 83-DP-25cz) from ExxonMobil Pipeline Company and ExxonMobil Corporation to Sable respectively.

Sable purchased the Santa Ynez Unit, and acquired Pacific Offshore Pipeline Company (POPCO) and Pacific Pipeline Company, the owners of the POPCO Gas Plant and the Las Flores Pipeline System respectively, on March 14, 2024. Sable is now the sole owner of the Santa Ynez Unit, and both POPCO and Pacific Pipeline Company are now wholly owned subsidiaries of Sable. Sable would operate the Santa Ynez Unit, POPCO Gas Plant, and Las Flores Pipeline System, and would be the Guarantor using self-insurance and other financial guarantees to support financial demonstration for the operation and future abandonment of the facilities and pipelines.

Name of Public Agency Approving Project: County of Santa Barbara, Planning and Development Department

Name of Person or Entity Carrying Out Project: Sable Offshore Corporation

Exempt Status:

- ☐ Ministerial
- ☐ Statutory Exemption
- ☐ Categorical Exemption
- ☐ Emergency Project
- ☐ Declared Emergency
- ☒ Not a Project

Cite specific CEQA and/or CEQA Guidelines Section: 15378(b)(5); the proposed action does not constitute a project as defined in CEQA.

Reasons to support exemption findings: The requests are exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(a), as the proposed actions do not constitute a “project” as defined in CEQA. Section 15378(a) states, in part:

“Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonable foreseeable indirect physical change in the environment...”

Section 15378(b)(5) specifically exempts “organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment” from this definition. The approval of permit changes to reflect a new ownership, guarantor, and/or operator is an administrative action that does not involve any physical modifications to the existing facilities. Under the request, the Owner, Guarantor, and Operator of the County’s Santa Ynez Unit Final Development Plan Permit would change from ExxonMobil Corporation to Sable, the Guarantor and Operator of the County’s POPCO Gas Plant Final Development Plan Permit would change from ExxonMobil Corporation to Sable, and the Guarantor and Operator of the County’s Las Flores Pipeline System Final Development Plan Permit would change from ExxonMobil Corporation and ExxonMobil Pipeline Company to Sable respectively. No physical changes to the permitted facilities are proposed under this request. These permit transfer requests are to transfer existing County permits to a new Owner, Operator, and/or Guarantor pursuant to County Code Chapter 25B, and not for the actual transfer of the underlying assets themselves. The transfer of the underlying assets themselves was finalized between ExxonMobil Corporation, Mobil Pacific Pipeline Company, and Sable per their independent Purchase and Sale Agreement dated January 1, 2022, and finalized on February 14, 2024.

Restart of the facilities is not a part of the County’s permit transfer process, nor would the transfer of permits facilitate restart. The three existing facilities are already permitted to operate under each issued County Final Development Plan Permit. Environmental review for the

construction and operation of the facilities was previously conducted under facility-specific environmental documents, which were adopted during the original approval of the projects. Because the permit transfers do not include any proposed physical changes to the facilities or modifications to the facility operations, no additional environmental review is required. If any new development, or modification of any procedures, operating techniques, or design specifications for the facilities are required that fall under the County's permitting jurisdiction, those would be processed separately under Chapter 35 of the County's Zoning Code.

Lead Agency Contact Person: Jacquelynn Ybarra, Senior Planner, Energy Minerals & Compliance Division

Phone #: 805-568-2047

Email: jybarra@countyofsb.org

Department/Division Representative:



Errin Briggs, Deputy Director, Energy Minerals & Compliance Division

Date: February 12, 2025

Acceptance Date: _____

Distribution: _____

Date Filed by County Clerk: _____