



COUNTY OF SANTA BARBARA PLANNING AND DEVELOPMENT

MEMORANDUM

TO: County Planning Commission

FROM: John Zorovich, Deputy Director, Energy Minerals & Compliance

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DATE: April 26, 2023

RE: Appeal of Plains Valve Upgrade Project
Case Nos. 22APL-00000-00024, 22APL-00000-00025, & 22APL-00000-00026
[21AMD-00000-00009 & 22CDP-00000-00048]

Background

On March 1, 2023, the Planning Commission considered the appeals (Case Nos. 22APL-00000-00024, 22APL-00000-00025, and 22APL-00000-00026) of the Zoning Administrator's Approval of the Plains Line 901-903 Valve Upgrade Project (Case Nos. 21AMD-00000-00009 & 22CDP-00000-00048). At the conclusion of the hearing, the Planning Commission directed staff to return at the hearing of April 26, 2023 and provide the Commission with alternative CEQA options for the project. Staff has summarized potential options below.

Potential Options Available to the Commission

The following options are available to the Commission:

1. Approve the project by utilizing the existing Addendum and Exemptions.

Under this option, the Commission would take action to deny the appeals and approve the proposed project utilizing the existing Addendum and Exemptions described as staff's recommendation in the March 1, 2023 Staff Report.

2. Direct staff to supplement the Addendum with additional information specified by the Commission.

Under this option, the Commission would direct staff to provide supplementary information for specific environmental issue areas possibly including visual, biological, risk/hazards, and/or others to revise the Addendum. The Commission could require preparation of additional studies, such as a more detailed visual analysis or a new risk analysis. A risk analysis could compare the risk profiles of operation of the originally approved pipeline project to the operation of the existing pipeline with the proposed valves installed. The supplementary information would be discussed more thoroughly in the Addendum and provide the Commission with greater assurance that issues of concern were looked at in detail prior to project approval. This option could still include the Exemptions if determined appropriate by the Commission.

Direction to add supplementary information to the Addendum is not appealable to the Board of Supervisors. If this option was pursued, the project would return to the Planning Commission with the revised Addendum for consideration of CEQA and the project.

3. Direct staff to prepare a Supplemental EIR.

Under this option, the Commission would direct staff to further investigate project impacts through a Supplemental EIR (SEIR). To prepare an SEIR, the Commission would need to determine that: 1) substantial changes are proposed in the project that will require major revisions of the prior EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the prior EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance, not known at the time the previous EIR was certified, shows the project will have one or more significant effects not discussed in the previous EIR or significant effects previously examined will be substantially more severe than shown in the previous EIR.

If this option is pursued, staff requests direction on the baseline for the SEIR, which could be the currently existing conditions, which includes no oil present within an existing but non-operational pipeline, permitted conditions, or a historical average of operation. The SEIR's scope would assess impacts associated with installation and operation of the current valve installation project. An updated Risk Analysis that includes restart of full pipeline operation, with the proposed valves, could be included in the analysis. When preparing the SEIR, certain assumptions would need to be made about the scope of improvements made to the lines prior to start up/operations based upon compliance with the Pipeline and Hazardous Materials Safety Administration (PHMSA) Corrective Action Order. These improvements may include, but not be limited to the completion of anomaly repairs, refinements in operating procedures, hydrostatic testing, initiation of an enhanced integrity monitoring program and possibly other items needed as determined by the Office of the State Fire Marshall (OSFM).

Direction by the Planning Commission to prepare a Supplemental EIR is appealable to the Board. Once the Supplemental EIR is completed, the project and the Supplemental EIR would return to the Planning Commission for consideration of CEQA and whether to approve or deny the Project.

4. Deny the Project as proposed.

Under this option, the Commission would identify which finding(s) provided in Attachment A of the March 1, 2023 County Planning Commission Staff Report cannot be made. Depending on the complexity of the finding(s), the Commission could trail the item so staff could return later that day and prepare finding(s) for approval of the appeals and deny the project.

Attachments

- A. Link to March 1, 2023 County Planning Commission Staff Report
- B. Link to Final Environmental Impact Report / Environmental Impact Statement State Clearinghouse Number: 1983110902

Attachment A: March 1, 2023 Staff Report Package Link

Link to the March 1, 2023 County Planning Commission Staff Report Package dated February 2, 2023.

<https://cosantabarbara.app.box.com/s/q97rv82305oyfnbdjhcyrddhu3dgkqy/folder/195703272395>

ATTACHMENT B: FEIR/EIS LINK

Link to Final Environmental Impact Report / Environmental Impact Statement State Clearinghouse
Number: 1983110902

<https://cosantabarbara.app.box.com/file/1122169229043?s=kl9oo9xdaangevdp6pasfo0cmimvlt>