

# EMERGENCY PERMIT

## 18EMP-00000-00003

**Coastal Zone:**

Subject to the requirements of Section 35-171.2 of the Article II Coastal Zoning Ordinance and the policies of the Coastal Land Use Plan.

**Case Name:** SoCal Gas Emergency Pipeline Inspection and Repair  
**Case Number:** 18EMP-00000-00003  
**Site Address:** VARIOUS  
**APNs:** 005-050-011; 005-050-015; 005-100-023;  
005-310-012; 005-310-021; 005-310-025;  
001-030-027; 005-280-015; 005-430-060;  
001-060-053; 001-080-011; 001-080-032; and  
005-010-024  
**Applicant/Agent Name:** James Chuang, Southern California Gas Company  
**Owner/Operator Name:** Southern California Gas Company

**ZONING PERMIT  
ISSUED**  
SANTA BARBARA COUNTY PLANNING & DEVELOPMENT

South County Office  
123 E. Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2000

Energy and Minerals Division  
123 E. Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2000

North County Office  
624 W. Foster Road  
Santa Maria, CA 93454  
(805) 934-6250

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## PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for:

The inspection, excavation and potential repair of portions of four existing high pressure natural gas lines subjected to scour and potential damage from boulders during the debris flow caused by heavy rains on January 9, 2018. Impacts to the pipelines are unknown at this time and require excavation and inspection to determine the extent of damage, if any. The project scope currently involves the excavation of one to four test pits, approximately 24 inches in diameter and up to five feet deep, upstream and downstream of the pipeline at each Region of Interest (ROI) (up to eight test pits per site). Should scour or damage be identified at any of these sites, additional site specific information will be compiled and submitted to Planning and Development (P&D) for review prior to the initiation of excavation and repair activities. This information will identify the preferred repair approach for each particular location. Prior to the commencement of additional work, SoCal Gas personnel shall receive written consent from P&D on a ROI by ROI basis. Depending on the extent and severity of the damage, one of the following repair options may occur: repair band installation; segment removal and replacement; reburial of pipe at lower depth; installation of protective slab above and around impacted segment. Repair work will be determined on a case by case basis.

Access to the ROIs within drainage features will occur at locations that provide for safe entry and avoid the need for tree removal and new ground disturbance. Debris on the channel banks that prevents equipment from accessing the channel will be removed to the minimum amount feasible in order to allow for safe entry into the creek.

Until these segments have been inspected for damage and appropriately repaired, unaddressed damage may cause internal corrosion and operational failure of the pipeline which may result in significant impacts to nearby residents and the surrounding environment.

Therefore, this situation constitutes an emergency in accordance with Article II, the Coastal Zoning Ordinance and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,



DIANNE BLACK  
Assistant Director

APPROVAL DATE: March 22, 2018


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### APPLICANT AGREEMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit, Building Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County of Santa Barbara to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County of Santa Barbara to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.

AMANUEL LEVESSE  03/26/18  
Print Name Signature Date

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### PERMIT ISSUANCE:

Dianne M. Black  3/28/18  
Print Name Signature Date

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## 1.0 BACKGROUND:

In the early morning hours of January 9, 2018 an estimated 0.5-inches of rain hit the Montecito area within a five-minute period, resulting in a massive release of scorched soil, ash and debris, including trees and boulders. Massive debris flow occurred along creeks within the unincorporated Montecito, Toro Canyon and Carpinteria areas. Several existing natural gas pipelines cross these creeks at various locations and according to preliminary evaluations conducted by SoCal Gas, these lines were potentially impacted by mud, debris flow and floodwaters. SoCal Gas has requested an emergency permit to inspect and repair, as necessary, 12 segments of Lines 1005, 1003, 1004, and 245 located within Toro Canyon Creek, Arroyo Paredon, Carpinteria Creek and associated unnamed tributaries. Land use on adjacent properties includes residential as well as agricultural development.

Inspection activities will be located within the creek bed to determine if damage occurred and to what extent. Inspection will require 24-inch diameter test pits to a depth of 5 feet. These pits will allow for visual observations of the pipeline segment. If visual observations confirm that the pipeline segments have been impacted or damaged, additional excavation and repair work will occur as necessary. Until these pipelines have been inspected for damage and repaired appropriately, unaddressed damage may cause internal corrosion and pipeline failure which may result in significant impacts to nearby residents and the surrounding environment. Furthermore, delay in pipeline inspection and repairs may lead to unreliable service to impacted residents in the Montecito, Toro Canyon and Carpinteria areas.

## 2.0 FINDINGS OF APPROVAL:

1. The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State Law.
2. In compliance with Section 35-171.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Emergency Permit the Director shall first make all of the following findings, as applicable:

- a. An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit.*

As described in Section 1.0, heavy rains in the early hours of January 9, 2018 resulted in multiple debris flows along creeks and drainages within the Montecito and Toro Canyon areas. Existing high pressure gas transmission pipelines, Lines 1005, 1003, 1004, and 245 were impacted by mud, debris flow and floodwaters. On January 12, 2018, an executive order was issued by Governor Brown to further assist recovery efforts in Southern California related to the Thomas Fire and subsequent mudslides. As a result of these events, SoCal Gas must now investigate potential scouring and loss of integrity of SoCal Gas Lines 1005, 1003, 1004, and 245. These inspections and repairs are necessary to ensure that these lines can be operated safely and ensure the reliability of natural gas service that is essential to the public health, safety and welfare of persons and property affected by the Thomas Fire and debris flow areas. As a result, this situation constitutes an emergency in accordance with Section 35-171.5 of the Article II Coastal Zoning Ordinance and immediate action is warranted.



***b. Public comment on the proposed emergency action has been reviewed.***

Pursuant to Section 35-171.5.1 (noticing requirement) of the Santa Barbara County Article II, Coastal Zoning Ordinance, a public notice describing the nature of the emergency and response activities was mailed to all property owners within 300 feet and residents within 100 feet of parcels located adjacent to the inspection sites. Notice placards were also posted in seven locations near the identified sites. These noticing procedures were completed in accordance with the requirements of Section 35-171.5.1. No written or oral public comments have been received to-date. The public will have additional opportunity to comment on the permitted actions pursuant to this emergency permit during the noticing and processing of the required follow-up permit. Therefore, this finding can be made.

***c. The action proposed is consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance.***

The County's Coastal Land Use Plan (CLUP) includes policies which aim to protect, maintain and restore the environment, including both the natural and man-made environments. The emergency action taken by SoCal Gas is allowed under the Article II, the Coastal Zoning Ordinance, which recognizes that certain actions warrant immediate, special consideration in order to lessen or remediate an emergency. In order to ensure the protection of the health and safety of the public and the preservation of the environment, SoCal Gas was given written authorization to conduct inspections of 12 segments on existing, high pressure natural gas lines throughout the Montecito, Toro Canyon and Carpinteria areas. Should the results of the inspections determine additional work be necessary, prior to commencement of further excavation and/or repair activities, additional detailed site specific information will be required to be submitted to P&D for further review and approval. Furthermore, the California Coast Act Policy 30253 requires development to "minimize risk to life and property in areas of high geologic, flood and fire hazard..". The proposed project will alleviate potential safety hazards to nearby residents and property consistent with Article II's emergency provisions as well as this Coastal Act Policy.

There are numerous policies within the Toro Canyon Plan and Coastal Land Use Plan that protect Environmentally Sensitive Habitat (ESH). Although the pipelines are existing and not considered new development, the following policies are applicable to the inspection and repair work and are representative of other applicable policies found within the Toro Canyon Plan.

POLICY	DISCUSSION
<p><b>Coastal Land Use Plan Policy 2-11:</b> <i>All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation,</i></p>	<p><b>Consistent:</b> Emergency work activities include the inspection and potential excavation and repair along several segments of existing natural gas pipelines. The potentially impacted pipeline segments occur within Toro Canyon Creek, Arroyo Paredon, Carpinteria Creek and associated unnamed tributaries. To inspect the pipeline segments and conduct necessary repairs,</p>

<p><i>and control of runoff.</i></p> <p><b>Coastal Land Use Plan Policy 3-19:</b> <i>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</i></p>	<p>work would be conducted within Environmentally Sensitive Habitat (ESH) areas. All inspection and repair work would be conducted under the conditions included within Section 4.0 of this emergency permit to avoid permanent adverse impacts to habitat resources. Conditions # 11, 12, 13, 14 and 15 include weather monitoring, noise and work hour restrictions, revegetation, sedimentation and erosion controls as well as habitat restoration.</p> <p>As described, emergency activities would need to occur adjacent to or within creeks. Application of Condition #17 would require that all equipment staging and refueling occur within a designated area to ensure any potential discharges are contained away from sensitive habitats. With the application of the aforementioned conditions, the emergency work would be consistent with these policies.</p>
<p><b>Coastal Land Use Plan Policy 9-36:</b> <i>When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.</i></p>	<p><b>Consistent:</b> Per the submitted and peer-reviewed Biological Report, adverse impacts would be temporary and limited to excavation and repair work areas. Emergency activities would occur in a manner that minimizes the impacts of grading and erosion on native vegetation to the extent feasible. Pursuant to Condition #13, all impacts to vegetation shall be documented and restored according to an approved Habitat Restoration Plan. No paving is proposed. With the application of the aforementioned condition, the emergency work would be consistent with this policy.</p>
<p><b>DevStd BIO-TC-5.3:</b> <i>All construction activity, including but not limited to staging areas, storage of equipment and building materials, and employee vehicles, shall be prohibited in ESH areas and to the maximum extent feasible shall be avoided in ESH buffer areas.</i></p>	<p><b>Consistent:</b> As described in Section 1.0, unprecedented debris flow occurred within Toro Canyon Creek, Arroyo Paredon, Carpinteria Creek and associated unnamed tributaries. Due to the extent of debris, segments of existing high pressure gas transmission pipelines, Lines 1005, 1003, 1004, and 245 may have been impacted within the creek corridors. Thus, due to the</p>

	<p>nature of the emergency inspection and repair work, activities would occur within areas designated as ESH and ESH buffer. Pursuant to Condition #17 other related activities, including parking, equipment staging and refueling, would be required to be located outside ESH and to the extent feasible, ESH buffer. With the application of the aforementioned condition, the emergency work would be consistent with this policy.</p>
<p><b>Toro Canyon Plan DevStd BIO-TC-15.1:</b> <i>Development activity which requires ground disturbance which is proposed on parcels containing ephemeral (dry except during and immediately after rainfall) or intermittent (seasonal) streams and creeks, and associated riparian corridors, shall be subject to any permit requirements of the California Department of Fish and Game and the U.S. Army Corps of Engineers.</i></p>	<p><b>Consistent:</b> Emergency activities would occur within Toro Canyon Creek, Arroyo Paredon, Carpinteria Creek and associated unnamed tributaries. This emergency permit does not release the Applicant from obtaining all other required state and federal agencies permit. The Applicant is working directly with the California Department of Fish and Wildlife to obtain the required emergency permits and has received and provided a copy of the US Army Corps of Engineer's permit for emergency activities. Therefore, the emergency work would be consistent with this policy.</p>
<p><b>Coastal Land Use Plan Policy 10-2:</b> <i>When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</i></p>	<p><b>Consistent:</b> All disturbance work would occur within Southern California Gas easements. Most of the easements have been previously disturbed however, as required by Condition #8, all ground disturbance activities would require a Phase I archeological survey. If resources are encountered, additional surveys would be required and would be conducted in coordination with P&amp;D. All survey work would be required to be conducted in accordance with the provision of the County Archaeological Guidelines. With the application of the aforementioned condition, the emergency work would be consistent with this policy.</p>

All work will be reviewed in conformance with the applicable provisions of the Toro Canyon Plan, Coastal Land Use Plan and Article II, the Coastal zoning Ordinance. Impacts to biological, archaeological and recreational resources from the emergency activities will



be documented and mitigated to the extent feasible through the emergency permit conditions of approval, staff's follow-on permit policy analysis and the associated conditions of approval. With the application of the emergency permit conditions in Section 4.0, the emergency actions can be found consistent with the Coastal Land Use Plan and the Toro Canyon Plan policies and this finding can be made.

3. **This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects.**

The emergency response activities authorized by this permit are considered exempt from CEQA pursuant to Guidelines Section 15269(c) which exempts "specific actions necessary to prevent or mitigate an emergency." The response activities identified in the project description are intended to mitigate the potential operational failure and risks to nearby residents and the surrounding environment through the inspection and potential repair of these 12 pipeline segments. Therefore, this finding can be made.

4. **Additional finding required for sites within the Toro Canyon Plan area. In compliance with Section 35-194.4 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Emergency Permit on sites within the Toro Canyon Plan area the review authority shall first find that the project meets all the applicable policies and development standards included in the Toro Canyon Plan.**

As discussed above in Finding No. 2.c above, and hereby incorporated by reference, the proposed emergency actions are consistent with the requirements of the Toro Canyon Plan. Therefore, this finding can be made.

#### **4.0 EMERGENCY PERMIT CONDITIONS OF APPROVAL**

1. **Project Description.** This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Planning Commission.

The project description is as follows:

On December 7th, 2017, Governor Edmund G. Brown Jr. issued an emergency proclamation for Santa Barbara County due to the effects of the Thomas Fire. An executive order was subsequently issued by Governor Brown on January 12th, 2018, to further assist recovery efforts in Southern California related to the Thomas Fire and subsequent debris flow. As a direct result of the Thomas Fire and subsequent debris flow, Southern California Gas Company (SoCal Gas) must now investigate potential scouring

and loss of integrity of SoCal Gas Lines 1005, 1003, 1004, and 245, high pressure gas transmission pipelines which were impacted by the disaster.

The request is for an Emergency Permit to allow for the inspection, excavation and potential repair of portions of four existing high pressure natural gas lines. As identified in the table below, a total of 12 sites were identified within ten Regions of Interest (ROIs) on lines L1003, L1005, L1004, and L245 within the unincorporated area of Montecito and Toro Canyon. These lines were subjected to scour and potential damage from boulders during the debris flow caused by heavy rains on January 9, 2018.

Region of Interest (ROI) Site Number	APNs
10.5, 11.5, 11, 12, 13	005-050-011, -015; 005-100-023
14	005-310-012, 021, -025
17	001-030-027, 001-030-027
19	005-280-015, 005-430-060
22	001-060-053, 001-080-011, -032
24; 25; 26	005-010-024

#### **Phase I: Inspection and Evaluation**

Impacts to the pipelines are unknown at this time and require excavation and inspection to determine the extent of damage, if any. The project scope currently involves the excavation of one to four test pits, approximately 24 inches in diameter and up to five feet deep, upstream and downstream of the pipeline at each ROI (except ROIs 11 and 12) for up to eight test pits per site. Visual inspections of the soil within the test pit areas will be conducted to determine if scour has occurred. If pipeline damage is observed, additional excavation will be required, followed by a site-specific pipeline repair involving one or more of the following: re-coating, repair band installation, replacement of damaged pipe section, installation of new pipe section at deeper location and/or installation of protective slab above pipeline. It is unknown at this time if any pipeline repairs will be required.

ROIs 11 and 12 will be excavated the entire length of the pipeline within the creek for approximately 30-feet long, 2-feet wide, and 4-feet deep to conduct visual inspections of pipeline coating, blast/abate coating to inspect bare pipe, and install fiber optics. If pipeline damage is observed, one or more of the following will occur: re-coating, repair band installation, replacement of damaged pipe section, installation of protective slab above pipeline.

For ROIs 10.5 and 11.5, a total of 8 test pits will be dug along the edges of the existing concrete slab (2 test pits on west edge, 2 test pits on east edge, 2 test pits on north edge, and 2 test pits on south edge). The concrete slab will be inspected for cracks, and if any are observed, the existing concrete slab will be removed and the entire length of pipe will be excavated for further inspection (30 feet long, 2 feet wide, 4 feet deep). Once exposed, the pipeline coating will be visually inspected for damage. The coating will then be blasted/abated to allow for the bare pipe to be inspected and to allow for the installation of fiber optics. If pipeline damage is observed, one or more of the following will occur: re-

coating, repair band installation, replacement of damaged pipe section, install new protective slab above pipeline.

All sites are located within drainages and where there is flowing water, the sites will be dewatered using coffer dams, a diversion pipe, and pumps to maintain a dry work area, as needed. One to four test pits will be dug upstream of each pipeline segment and one to four test pits will be dug downstream at each site. The test pits will be approximately 24-inches in diameter and 4 to 5 feet deep. The test pits will allow for visual observation of the soil and pipeline to be made. Once observations are documented, the test pits will be backfilled with the native soil. Test pits located within Environmentally Sensitive Habitat (ESH) will be completed by hand. If boulders and debris are found to be obstructing the site, mechanical equipment may be used. Sites which are currently dry will have erosion control measures in place in the event significant rainfall occurs. No permanent fill is anticipated as part of the inspection phase, and excavated soil will be placed back within each test pit and over the pipeline, as needed.

#### Phase II: Excavation and Repair

Should scour be identified at any of these ROIs, additional site specific information will be compiled and submitted to Planning and Development (P&D) for review prior to the initiation of excavation and repair activities. This information will identify the preferred repair approach for each particular location with the goal of minimizing impacts to creeks and their associated habitats. Prior to the commencement of additional work, P&D shall give written consent to SoCal Gas personnel on a ROI by ROI basis. Additional work will include the excavation of impacted pipeline segments to allow a bare pipe and coating inspection and to assess if any physical damage occurred to the pipeline. In order to accommodate excavation work areas are anticipated to be up to 30 feet wide at each ROI and all impacts associated with the excavation and inspection work are expected to be temporary. Upon completion of inspection activities, the site will then be graded to pre-construction contours and erosion control materials will be utilized on the banks of drainages as needed to prevent erosion. Equipment expected to be used include a 308 Track Excavator, 299 Skid Steer, 6-inch and 3-inch pump and hose, three pickup trucks, and two tool trailers. No permanent fill is anticipated as part of the excavation and inspection and excavated soil will be placed back within each test pit and over the pipeline, as needed.

Depending on the extent and severity of the damage, one of the following repair options may occur: repair band installation; segment removal and replacement; reburial of pipe at lower depth; installation of protective slab above and around impacted segment. Repair work will be determined on a case by case basis.

All ROI's can be accessed from public surface streets except ROI 22 which is located on private property. Staging for equipment and materials will take place along roadsides and turnout areas adjacent to each ROI, as feasible. Access to the ROIs within the drainage features will occur at the safest location. No trees will be removed and no new ground disturbance will occur for staging or access routes. Debris on the channel banks that is preventing equipment from accessing the channel will be removed to the minimum amount feasible in order to allow for safe entry into the creek. The proposed inspection



and potential repair sites are located on APNs: 005-050-011 (zoned 1-E-1), 005-050-015 (zoned 1-E-1), 005-100-023 (zoned RR-10), 005-310-012 (zoned AG-I-20), 005-310-021 (zoned AG-I-10), 005-310-025 (zoned AG-I-10), 001-030-027 (zoned AG-I-10), 005-280-015 (zoned AG-I-10), 005-430-060 (zoned AG-I-10), 001-060-053 (zoned AG-I-10), 001-080-011 (zoned AG-I-10), 001-080-032 (zoned AG-I-10) and 005-010-024 (zoned TC) in the Toro Canyon and Carpinteria areas, 1<sup>st</sup> Supervisorial District.

2. **Additional Permits.** An application(s) for the required permits necessary to validate the emergency work as permanent shall be submitted by the applicant to the Planning and Development Department no later than 30 days following the issuance of this Emergency Permit pursuant to Section 35-171.3. The permits required for the proposed emergency work include a Coastal Development Permit pursuant to Section 35-169 of the Article II Coastal Zoning Ordinance and a Grading Permit.
3. **Application Completeness.** Any materials required for a completed application for the follow-on Coastal Development Permit (which addresses Emergency Permit Condition No. 2 above), shall be submitted within 30 days after written notification of the application deficiencies for the associated follow-on permits are provided to the applicant. This time period may be extended by the Director of Planning and Development.
4. **Scope of Emergency Work.** Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 30 days of the date of issuance of the permit and completed within 90 days after the beginning of inspection activities. If inspection activities are proposed by the applicant to commence after 30 days, or if repair work requires more than 90 days to complete, a separate authorization by the Director of P&D is required.
5. **Authorization from other Agencies.** This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
6. **EMP-09 Not Valid Until Signed.** This Emergency Permit is not valid until signed by the applicant and subsequently issued by Planning and Development.
7. **Stop Work Order.** The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction or if the Director determines that work has exceeded the scope of the project description in Emergency Permit Condition No. 1 above.
8. **CulRes-01 Cul Phases 1, 2, and 3.** All ground disturbances shall be subject to a Phase 1 archaeological survey in compliance with the provisions of the County Archaeological Guidelines. If significant resources are encountered and potential impacts are unavoidable, the Applicant shall have a P&D approved archaeologist prepare and complete a Phase 2 subsurface testing program in coordination with P&D. If the Phase 2 program finds that one is warranted, the Applicant shall have a P&D approved archaeologist prepare and complete a Phase 3 data

recovery excavation consistent with County Archaeological Guidelines. All work shall be funded by the Applicant. **PLAN REQUIREMENTS:** The Applicant shall submit the required archaeological studies for P&D review and approval prior to earth disturbance activities if resources are known or encountered. **TIMING:** Any required archaeological studies shall be submitted to P&D as a component of its follow-up Coastal Development Permit application. Notes and/or depictions of plan components shall be included on plans prior to issuance of GRADING/BUILDING PERMITS. The Applicant shall install any required resource protection measures or carry out required recovery onsite prior to ground disturbance or ISSUANCE OF GRADING/BUILDING PERMITS and pre-construction meeting, whichever occurs first. **MONITORING:** P&D planning staff shall receive study(s) for review and approval prior to ground disturbance work and shall provide authorization for Phase II activities upon review.

9. **CulRes-09 Stop Work at Encounter.** The Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Applicant. If human remains are unearthed during project activities, 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. **MONITORING:** P&D compliance monitoring staff shall spot check in the field throughout grading and construction.
10. **Bio-01c Tree Protection Plan-Unexpected Damage and Mitigation.** In the event of unexpected damage or removal to native trees greater than 4-inches in diameter at breast height (DBH), replacement shall include but is not limited to hiring an outside consulting biologist or arborist to assess damage and recommend mitigation. The applicant shall provide a tree replanting plan for review and approval by P&D or a P&D designated biologist. The required replacement shall be done under the direction of P&D or a P&D designated biologist. If it becomes necessary to remove a tree not planned for removal, if feasible, the tree shall be boxed and replanted. If a P&D approved arborist certifies that it is not feasible to replant the tree, it shall be replaced on up to a 10:1 basis with trees with 5-gallon or larger size saplings grown from locally obtained seed. Damaged trees shall be mitigated up to a 10:1 ratio (5-gallon oak trees) but may be adjusted per biologist recommendation and size of mitigation saplings. **MONITORING:** The Applicant shall demonstrate to P&D compliance staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, submit a tree replacement plan to be approved by P&D. Replacement trees shall be monitored in accordance with the approved Habitat Restoration Plan.
11. **WatConv-03 Erosion and Sediment Control Revegetation.** The Applicant shall re-vegetate graded areas upon completion of emergency activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. **PLAN REQUIREMENTS:** Include this measure as a note on all

permit plans. **TIMING:** The Applicant shall re-vegetate graded areas within 10 days upon project completion. **MONITORING:** The Applicant shall demonstrate compliance to permit compliance staff in the field.

**12. Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way and outside of designated Environmentally Sensitive Habitat (ESH) and, to the extent feasible, ESH buffer. The Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Applicant's designee responsible for enforcement of this restriction. **PLAN REQUIREMENTS:** Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for follow-on permit. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to ISSUANCE of COASTAL DEVELOPMENT PERMIT. This restriction shall be maintained throughout construction. **MONITORING:** Permit Compliance shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or address complaints regarding offsite parking.

**13. Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **PLAN REQUIREMENTS:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior Phase II activities. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round. **MONITORING:** Compliance staff shall perform site inspections as necessary.

**14. Sp-Bio-01 Habitat Restoration.** 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 the Habitat Restoration Plan. Prior to the commencement of Phase II activities (excavation and



repair), the Applicant shall develop a Habitat Restoration Plan for the disturbance areas for review and approval by Planning and Development. The Habitat Restoration Plan shall mitigate for temporary and/or permanent impacts to existing vegetation. The restoration plan shall include the following components:

- a. A description of the goals of the plan, including minimum planting, hand-seeding and hydroseeding areas;
- b. A complete list of native restoration plant species which are to be from genetic material derived from the Santa Barbara South Coast region and propagated at a local native plant nursery.
- c. An irrigation plan;
- d. Map(s) showing the planting area, and protective fencing;
- e. A description that explains how plants will be protected, monitored, irrigated, and maintained for the minimum monitoring period (5 years);
- f. A description of the performance criteria which will minimally include a 5-year monitoring period for number of individuals, size of replacement plants, cover and presence of invasive species, and plant vigor; and
- g. A plan for additional replacement planting and monitoring in the event success criteria are not met.

**PLAN REQUIREMENTS:** Habitat Restoration Plan components shall be included and graphically depicted on plans prior to APPROVAL of the follow-on COASTAL DEVELOPMENT PERMIT. Prior to issuance of the follow-on permit, the Applicant shall post performance securities to cover the cost of installation and ensure maintenance for minimum of five years.

**TIMING:** The Plan shall be reviewed and approved by P&D prior to commencement of Phase II activities. A status report (including photo-documentation) produced by a County-approved biologist shall be submitted to P&D for review 1, 3, and 5 years from the completion of installation of mitigation plantings. At the end of 5 years, the report shall analyze the success of the Habitat Restoration Plan and recommend further measures should the goals of the Plan are not met.

**MONITORING:** P&D permit compliance staff shall conduct site inspections during initial restoration plantings, submittal of status reports, and upon submittal of the final status report to ensure compliance with and confirm that all Habitat Restoration measures have been completed satisfactorily. If success criteria are not met upon submittal of the final status report, monitoring shall continue until success criteria have been met. P&D compliance monitoring staff signature is required to release the maintenance security upon successful implementation of this plan.

15. **Sp-Bio- 02 Weather Monitoring.** If a 25% or more chance of rain is predicted within 24 hours, all emergency activities shall cease and effective erosion and sediment control measures shall be implemented. If rainfall occurs, prior to resuming construction activities a biological monitor shall determine if the site has sufficiently dried out (e.g. no pooling or flow in drainage). The typical post-storm/no-work window of 24 hours may be shortened if minimal rain is experienced and the site dries out rapidly. **MONITORING:** Weather forecast shall be checked daily and P&D compliance staff shall ensure compliance onsite as necessary.

16. **Noise-02 Construction Hours.** The Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours

between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities (which do not include the use of compressors, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. **MONITORING:** P&D compliance staff shall ensure compliance onsite as necessary.

**17. Air-01 Dust Control.** The Applicant shall comply with the following dust control components at all times including weekends and holidays:

- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
- b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
- c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
- d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off-site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

**PLAN REQUIREMENTS:** These dust control requirements shall be noted on all grading and building plans. **PRE-CONSTRUCTION REQUIREMENTS:** The contractor or builder shall provide P&D staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

**TIMING:** The dust monitor shall be designated prior to construction staging and setup. The dust control components apply from the beginning of any grading or construction throughout all development activities and landscaping is successfully installed. **MONITORING:** Permit compliance staff shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

**18. Equipment Storage and Fueling.** The Applicant shall designate one or more construction equipment filling and storage area to contain spills, facilitate cleanUp and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located outside Environmentally Sensitive areas and avoid ESH buffer areas, to the

extent feasible. Fueling and lubrication of equipment will not occur within 100-feet of any flowing streams. No more than 2 barrels of fuel shall be kept within staging areas, or within 0.25 miles of all perennial creeks. **TIMING:** The Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout emergency activities.

## COUNTY RULES AND REGULATIONS

**19. Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of HABITAT RESTORATION prior to ISSUANCE of follow-on permit. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for FIVE years of maintenance of the items. Maintenance securities shall be released after the specified maintenance time period and when all approved HABITAT RESTORATION have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved HABITAT RESTORATION, P&D may use the security to complete the work.

**20. Rules-31 Mitigation Monitoring Required.** The Owner/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 Owner/Applicant shall:

- a. Contact P&D compliance staff 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;
- b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to ISSUANCE of COASTAL DEVELOPMENT PERMIT as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
- c. Note the following on each page of grading and building plans "This project is subject to CONDITION Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval;

**MONITORING:** Contact P&D compliance staff at least two weeks prior to commencement of Phase II activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.



- 21. Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / 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.

## **5.0 ATTACHMENTS**

- A. Site Map
- B. CEQA Exemption

cc: Das Williams Supervisor, First District  
Dianne Black, Assistant Director, Planning and Development  
Erin Briggs, Energy Specialist, Energy and Minerals Division  
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