

CALIFORNIA COASTAL COMMISSION

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W17b

October 8, 2012

TO: Coastal Commissioners and Interested Parties

FROM: Alison Dettmer, Deputy Director
Kate Huckelbridge, Analyst

SUBJECT: Addendum to Staff Report for Application E-12-006, Southern California Gas Company

This addendum includes minor revisions to the September 21, 2012, staff report on Southern California Gas Company's proposal to conduct soil sampling at nine locations along an existing above-ground natural gas pipeline in Goleta. Staff recommends modifying the staff report as shown below in strikeout/underline:

Page 6, third paragraph:

“To address this concern, the Southern California Gas Company (SCG) proposes to maintain the existing pipelines in a safe condition by replacing existing dilapidated wooden support pilings ~~at nine locations~~ along 865 feet of three existing above-ground natural gas pipelines, located west of State Highway 217, east of Moffett Place and north of Sandspit Rd (see Exhibit 3). Project activities included in this application constitute the first phase of this project which involves conducting soil sampling at these locations to determine if soils surrounding the pipelines are stable enough to allow the replacement of the existing wooden support pilings ~~with steel pilings~~. The type and material of the replacement supports will depend on the results of the geotechnical testing.”

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Filed:	9/7/12
180 th Day:	3/6/12
Staff:	K.Huckelbridge-SF
Staff Report:	9/21/12
Hearing Date:	10/10/12

STAFF REPORT: REGULAR CALENDAR

Application No.:	E-12-006
Applicant:	Southern California Gas Company
Location:	La Goleta Natural Gas Storage Facility, west of State Highway 217, east of Moffett Place and north of Sandspit Rd., Goleta, Santa Barbara County.
Project Description:	Conduct the first phase of a pipeline maintenance project, which consists of soil sampling at nine locations along an existing above-ground pipeline to determine the feasibility of the subsequent phase of the maintenance project, consisting of pipeline support replacement.
Staff Recommendation:	Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The Southern California Gas Company (SCG) is required to maintain the safety of its existing natural gas pipelines. The support structures for three existing above-ground natural gas pipelines inside the La Goleta Natural Gas Storage Facility in unincorporated Santa Barbara County and near the La Goleta slough are degraded and are likely to need replacing to ensure the long-term maintenance and safety of these pipelines (see Exhibits 1 and 2). SCG therefore proposes to conduct soil sampling at nine locations along these three natural gas pipelines (see

Exhibits 3 and 4). The proposed project is the first phase of the overall repair and maintenance project required to maintain these natural gas pipelines by replacing several existing dilapidated wooden support pilings (see Exhibit 6). The entire project area is considered wetland habitat and is either within or directly adjacent to areas designated by the County as Riparian Corridor and Environmentally Sensitive Habitat (see Exhibit 7).

The project consists of repair and maintenance activities. Under Coastal Act Section 30610 and the Commission's regulations, a permit is required for repair and maintenance activities that occur in or near environmentally sensitive habitat (ESHA) or in or near coastal waters. For such activities, the Commission reviews the proposed repair and maintenance activities for Coastal Act consistency, but not the underlying existing development (e.g., the existing pipelines).

Key Coastal Act Issues: These Findings evaluate the proposal for consistency with relevant Coastal Act policies, including:

- **Environmentally sensitive habitat areas (ESHA):** The project is located in wetlands and ESHA near the Goleta Slough (see Exhibit 7), which provides important habitat for numerous wildlife and plant species. However, sampling activities will have a short duration and will be conducted in close proximity to existing pipelines where habitat is highly disturbed and no sensitive plant or wildlife species are present. In addition, staging will occur either on the adjacent road and shoulder or unvegetated sand flats. Thus, the project will not significantly degrade ESHA.
- **Wetlands:** Proposed project activities would take place in wetlands (see Exhibit 5), although as described above, the sample sites are located near existing pipelines where habitat is generally highly disturbed. Given this and the small footprint associated with each sample, impacts to wetland vegetation are expected to be minor and temporary and any affected areas will re-vegetate naturally within a short period of time. To ensure that the site is fully restored to its initial condition, and that there are no long-term impacts, or if there are any permanent impacts, that they will be fully mitigated, **Special Condition 1** requires SCG to document any impacts that remain after 90 days and either re-vegetate at a 1:1 ratio for temporary impacts or mitigate at a 4:1 ratio for any unintended permanent impacts.
- **Spill Prevention and Response:** Proposed project activities would occur near coastal waters. **Special Condition 2** requires SCG to implement spill protection and response measures to reduce the potential for spills and provide adequate response should spills occur.
- **Archaeological Resources:** Although areas to be excavated as part of the project's activities are not believed to contain archaeological resources, the project area includes several known archaeological sites. As part of its proposed project, SCG will minimize the effects of potential archaeological disturbances by conducting excavations pursuant to County guidelines, which include monitoring by an approved archaeologist and Native American consultant, "stop work" upon detection, and investigations as needed to determine the significance of any identified sites.

Staff Recommendation: Staff recommends the Commission *conditionally approve* the proposed project. As conditioned, the project would be consistent with Sections 30240, 30233, 30232, and 30244.

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EXHIBITS

Exhibit 1 – Regional Map

Exhibit 2 – Project Area

[Exhibit](#) 3 – Project Boundaries

[Exhibit](#) 4 – Soil Sample Locations and Plant Community Impacts

Exhibit 5 – Jurisdictional Wetland Resources

Exhibit 6 – Image of Existing Failing Wooden Supports

Exhibit 7 – General Project Area with Riparian Corridor and ESHA Areas

Exhibit 8 – Spill Prevention and Response Plan

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Amendment Application No. E-12-006 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit amendment and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves Coastal Development Permit Amendment E-12-006 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is subject to the following special conditions:

1. **Pre/Post Construction Survey.** The Permittee shall fully document the existing condition of the wetland vegetation and substrate at each sampling location prior to the commencement of project activities. The extent of impacts to the vegetation and substrate shall be assessed and documented in a post-construction survey 90 days after the completion of the project to determine actual impacts. If no impacts are apparent after 90 days, no mitigation will be necessary. Mitigation measures will be necessary if any impacts are detected by the 90-day post-construction survey, as follows:
 - a. If the 90-day post-construction survey identifies that permanent wetland impacts (i.e., alterations to hydrology or wetland vegetation that can not be corrected in place) have occurred, a permit amendment is required to address the identified impacts. Mitigation shall be provided for any identified permanent wetland impacts at a ratio of not less than 4:1.
 - b. If the 90-day post-construction survey identifies that temporary impacts remain, the area shall be revegetated with appropriate native plants at a 1:1 ratio. The Permittee shall submit a revegetation/restoration plan to the Executive Director for approval within 30 days of the 90-day post construction survey. This plan shall include, at a minimum, a clear statement of goals and objectives, restoration design, implementation and monitoring schedule and performance standards.
 - c. The following goals, objectives, and performance standards shall apply for any necessary restoration:
 - i. Full restoration of all wetland impacts that are identified as temporary, beyond the 90 day self-recovery period. Restoration of temporarily impacted areas shall include at a minimum, restoration to before-impact hydrology, removal of all non-native plant species, and replanting with locally collected native wetland species.
 - ii. Success criteria and final performance monitoring shall provide at least 90% coverage of areas disturbed by restoration activities within 1 year of completion of construction activities.
 - iii. Submittal, within 60 days of initial restoration work, of a post-restoration report demonstrating that the revegetated areas have been established in accordance with the approved design and implementation methods.
 - iv. A survey taken 1 year after revegetation identifying the quantity and quality of the restored plants. If the survey demonstrates that revegetation has been unsuccessful, in part or in whole, a permit amendment is required to address any remaining impacts, unless the Executive Director determines that an amendment is not legally necessary.
- 2) **Spill Prevention and Response:** During project activities, the Permittee shall follow all guidelines and procedures outlined in the Spill Prevention and Response Plan submitted on August 10, 2012 by Psomas Consultants on behalf of SCG (included as Attachment 1 to the

permit, Exhibit 8 of the staff report), and project personnel shall have immediately available: (a) an estimate of a reasonable worst case release of fuel from project equipment and vehicles, (b) specific protocols to follow to contain any spills that may occur and sufficient materials such as booms, absorptive pads, etc., to contain those spills, (c) a telephone contact list of all regulatory and public trustee agencies having authority over the development and/or the project site and its resources to be notified in the event of a spill, and (d) a designated on-site person responsible for implementing the protocols and making the necessary contacts.

In the event that a spill or accidental discharge of fuel or hazardous materials occurs during project construction or operations, all non-essential project construction and/or operation shall cease and the Permittee shall implement the spill response measures required in the approved Plan, including notification of Commission staff. Construction and operation shall not start again until authorized by Commission staff.

If project construction or operations result in a spill or accidental discharge that causes adverse effects to coastal water quality, ESHA, or other coastal resources, the Permittee shall submit an application to amend this coastal development permit, unless the Executive Director determines no amendment is legally required. The application shall identify proposed measures to prevent future spills or releases and shall include a proposed restoration plan for any coastal resources adversely affected by the spill or release.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The Southern California Gas Company (SCG) is required to maintain the safety of its existing natural gas pipelines. Several wooden pilings that support three existing pipelines inside the La Goleta Natural Gas Storage Facility in unincorporated Santa Barbara County and near the Goleta Slough (see Exhibits 1-3), are severely degraded and at risk of failure (see Exhibit 6). Failure of a support piling could compromise the integrity of the pipeline itself and result in the release of natural gas to the surrounding habitats. The Goleta Slough area contains environmentally sensitive habitat areas, wetlands, coastal waters, and other sensitive coastal resources including significant acreage designated as Riparian Corridor and Environmentally Sensitive Habitat (see Exhibit 7). A release of natural gas into these sensitive habitats could be devastating to the plants and wildlife protected by the area's ESHA status. To address this concern, the Southern California Gas Company (SCG) proposes to maintain the existing pipelines in a safe condition by replacing existing dilapidated wooden support pilings at nine locations along 865 feet of three existing above-ground natural gas pipelines, located west of State Highway 217, east of Moffett Place and north of Sandspit Rd (see Exhibit 3). Project activities included in this application constitute the first phase of this project which involves conducting soil sampling at these locations to determine if soils surrounding the pipelines are stable enough to allow the replacement of the existing wooden support pilings with steel pilings. The second phase of this project is expected to commence immediately after the results of the soil analysis are available. SCG estimates that a CDP application for the second phase will be submitted later in the fall of

2012, with the intent of completing the work included in the second phase in the first quarter of 2013.

Soil at each sampling location (see Exhibit 4) will be analyzed by taking a soil boring, conducting test pit analysis or performing a cone penetration test. Soil boring, the default sampling method, consists of a 10-inch diameter core sample up to 50 feet in depth and will be collected using a truck-mounted drill rig. Test pits, used when bedrock is relatively shallow, consist of digging a 10 ft square pit (2 ft by 5 ft by 4 ft deep) with hand tools or a light backhoe. If the soil is soft, a cone penetration test will be conducted, which involves pushing a cone into the ground, tip facing down, at a controlled rate and measuring the stresses on the cone to determine soil properties. In this case, the impact area is approximately 1 square foot. It is anticipated that samples 1-3 may require test pits, samples 7 and 8A may require a cone penetration test, and all other locations will be sampled by taking a soil boring. In all cases, the borings or pits will be backfilled with spoils from the borings. If the sample is contaminated, the spoils will be removed offsite to a waste treatment facility and the boring will be backfilled using clean sand. For sample locations 1-4, 7, 8A and 9A, staging will occur on the adjacent service road and shoulder. For sample locations 5 and 6, the rig may need to be operated off or partially off the paved road.

B. OTHER AGENCY APPROVALS

U.S. Army Corps of Engineers (ACOE)

SCG submitted a request on April 20, 2012, to the ACOE for concurrence with the use of Nationwide Permit 6, *Survey Activities*, for this project. This request is currently under review.

California Regional Water Quality Control Board (RWQCB)

In May 2012, SCG submitted a General 401 Water Quality Certification Order application and pre-certification to the RWQCB. On June 1, 2012, the RWQCB granted SCG's certification.

C. COASTAL COMMISSION JURISDICTION AND STANDARD OF REVIEW

The La Goleta Facility is entirely within the coastal zone, though partially within the LCP jurisdiction of Santa Barbara County and partially within the Coastal Commission's retained jurisdiction. The proposed project activities will take place on a portion of the property that is within the Commission's jurisdiction.

COMMISSION'S PERMIT AUTHORITY FOR REPAIR AND MAINTENANCE ACTIVITIES

This proposal consists of repair and maintenance activities. Coastal Act Section 30610(d) generally exempts from Coastal Act permitting requirements the repair or maintenance of structures that does not result in an addition to, or enlargement or expansion of, the structure being repaired or maintained. However, the Commission retains authority to review certain extraordinary methods of repair and maintenance of existing structures that involve a risk of substantial adverse environmental impact as described in Section 13252 of the Commission's regulations.

Section 30610 of the Coastal Act provides, in relevant part:

Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas: . . .

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter.

Section 13252 of the Commission administrative regulations (14 CCR 13000 *et seq.*) provides, in relevant part (emphasis added):

For purposes of Public Resources Code section 30610(d), the following extraordinary methods of repair and maintenance shall require a coastal development permit because they involve a risk of substantial adverse environmental impact:...

(3) Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include:

(A) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials;

(B) The presence, whether temporary or permanent, of mechanized equipment or construction materials.

All repair and maintenance activities governed by the above provisions shall be subject to the permit regulations promulgated pursuant to the Coastal Act, including but not limited to the regulations governing administrative and emergency permits. The provisions of this section shall not be applicable to methods of repair and maintenance undertaken by the ports listed in Public Resources Code section 30700 unless so provided elsewhere in these regulations. The provisions of this section shall not be applicable to those activities specifically described in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Commission on September 5, 1978 unless a proposed activity will have a risk of substantial adverse impact on public access, environmentally sensitive habitat area, wetlands, or public views to the ocean....(emphasis added)

Although the proposed repair and maintenance activities will not add to or enlarge the subject pipelines, the proposed work involves placing construction materials, removing and placing solid materials, and the temporary use of mechanized equipment, all within 50 feet of ESHA. The proposed repair project therefore requires a coastal development permit under CCR Section 13252.

In considering a permit application for a repair or maintenance project pursuant to the above-cited authorities, the Commission reviews whether the proposed method of repair or maintenance is consistent with the Chapter 3 policies of the Coastal Act. The Commission's evaluation of such repair and maintenance projects does not extend to an evaluation of the conformity with the Coastal Act of the underlying existing development.

D. ENVIRONMENTALLY SENSITIVE RESOURCES

Section 30240 of the Coastal Act states:

a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30107.5 states:

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

The County of Santa Barbara Land Use Plan, which the Commission may use as guidance, includes the following relevant policies:

Policy 2-11: *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, and control of runoff.*

Policy 9-14: *New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.*

Proposed project activities would occur in and near Goleta Slough, an area that consists largely of ESHA as defined by both the Coastal Act and the County LCP (see Exhibit 7). Specifically, the western project area, including soil sample sites 1-6, is located in wetlands, portions of which are considered ESHA and portions of which are not ESHA. The eastern project area, encompassing sites 7, 8A and 9A, is located in wetlands and is designated entirely as ESHA (see Exhibits 4 and 5). Because the project consists of repair and maintenance of existing facilities,

some of which are located in ESHA, there are no alternative locations for the project that could entirely avoid ESHA.

Although the majority of the project site is identified as ESHA, the vegetation at most of the sampling sites is highly disturbed due to existing development and ongoing maintenance activities associated with the existing pipelines. On March 9, 2012, the Commission approved Permit E-11-031, authorizing SCG to conduct vegetation clearing within 10 feet of existing pipelines at 36 sites within SCG's La Goleta Storage Facility. These vegetation maintenance activities satisfy pipeline safety requirements of the U.S. Department of Transportation (pursuant to 49 C.F.R. Part 192). The eastern section and a portion of the western section of the proposed project site are included in this approved vegetation maintenance plan.

Potential impacts from proposed project activities fall into two categories: impacts from soil sampling itself and impacts from staging of equipment necessary to take the soil samples. Impacts from soil sampling are expected to be minor and temporary and will occur primarily in disturbed areas, as discussed above. The maximum total impact footprint is approximately 34 square feet spread over 9 sites. At each site, soil and vegetation will be removed, analyzed, and then the soil will be returned to the ground (assuming the spoils are not contaminated). SCG conducted a jurisdictional delineation study to determine the extent of wetlands and sensitive wildlife and plant species at the project site and to assess potential impacts to these resources from the proposed project. The study identified several plant and wildlife species listed as endangered, threatened, candidate or rare pursuant to the state Endangered Species Act, as well as several sensitive species with the potential to occur at the project site. However, none of these species were observed during field surveys at the proposed project sites. The survey concludes that only four plant and two wildlife species have a low or low-to-moderate potential to occur in the project area, but given the small impact footprint and short timeframe necessary for soil sampling, project activities are not expected to affect these or any other listed or sensitive species. Thus, although sampling activities will be conducted in or near ESHA, they are designed to prevent impacts which would significantly degrade those areas and will be compatible with the protection of those sensitive habitats.

Impacts from staging are also expected to be negligible. Most of the sampling will be conducted by a truck-mounted drill rig, although it is likely that a limited-access drill rig and/or Cone Penetration Test rig will also be used at certain locations. Noise from these types of equipment is relatively low (similar to a truck with a diesel engine) and will be short in duration, and thus is not expected to result in adverse impacts to surrounding wildlife. For sample locations 1-4, 7, 8A and 9A, all sampling equipment will be staged from the adjacent paved road or shoulder, resulting in negligible impacts. For sample locations 5 and 6, sampling equipment may need to be moved off the road and/or shoulder. However, according to the biologist that conducted surveys of the project area, these sampling sites are located in sand flats that are mostly devoid of vegetation, with only a few scattered clumps of non-native grasses. Thus, although off the paved road, staging at these sampling sites is not expected to result in adverse impacts.

For the reasons described above, the Commission finds that the proposed project will be carried out in a manner protective of environmentally sensitive habitat areas and is therefore consistent with applicable policies of Coastal Act Section 30240.

E. WETLANDS

Coastal Act Section 30233 states in relevant part:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
- (2) Maintaining existing, or restoring previously dredged depths on existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
- (6) Restoration purposes.*
- (7) Nature study, aquaculture, or similar resource dependent activities.*

For purposes of Coastal Act Section 30233, the excavation, removal, or any other artificial disturbance of any sediment or soil in a wetland constitutes an act of “dredging” such material. SCG’s project, which involves the removal of soil and vegetation within wetland areas is classified as a dredging activity within a wetland and is therefore subject to the policies of Coastal Act Section 30233.

The entire project site, with the exception of the area around sample site 9A, is classified as a wetland based on the presence of at least one of three wetland indicators: wetland hydrology, wetland vegetation or hydric soils (see Exhibit 5). SCG conducted a wetland delineation analysis that determined that approximately 2.1 acres of the project area met the Coastal Commission definition of a wetland. Project activities are expected to temporarily impact approximately 34 square feet of wetlands due to sampling and 0.1 acres (4199 sq. ft.) of wetlands due to staging of equipment.

Projects that include dredging of wetlands must meet the three tests of Coastal Act Section 30233(a). The first test requires that the proposed activity fit into one of seven categories of uses enumerated in Coastal Act Section 30233(a)(1-7). However, in this case, because the Commission is solely reviewing the method by which the applicant executes the repair and maintenance activities, the first test under Section 30233(a) is not applicable. The second test requires that there be no feasible less environmentally damaging alternative. The third and final test mandates that feasible mitigation measures be provided to minimize the project's adverse environmental effects.

As discussed in Section A, the maintenance work proposed in this application is the first phase of a larger project to maintain the natural gas pipeline by replacing the existing dilapidated wooden supports for SCG's existing pipelines. Allowing the existing wooden supports to remain in place increases the risk of a pipe breach associated with the failure of one or more supports. Even a small leak of hazardous materials would have significant adverse impacts on the surrounding wetlands and ESHA. Therefore, avoiding the work, or the "no project" alternative, is not an environmentally preferable option. In addition, because the proposed work involves repair and maintenance of existing infrastructure, there are no alternative locations for the project that could entirely avoid wetlands or ESHA. Finally, the sampling techniques, equipment and staging locations proposed in this project will minimize the impact footprint within the wetlands. Thus, there is no feasible less environmentally damaging alternative and the Commission finds this project consistent with the second test of Coastal Act Section 30233(a).

The final test requires that feasible mitigation measures be provided to minimize the project's adverse effects. As discussed in the previous section, impacts to wetlands and ESHA are expected to be minor and temporary. Most of the existing wetland vegetation at the sample sites is disturbed or nonexistent due to ongoing vegetation maintenance activities. Subsurface impacts to wetland soils from project activities are anticipated to be negligible and any surface vegetation impacted is expected to regenerate naturally within a short period of time. To ensure that the site is fully restored to its initial condition, and thus long-term impacts are avoided, the Commission is requiring **Special Condition 1**, which requires the Permittee to document the existing condition of wetland vegetation and substrate at each sampling location and to conduct a 90-day post-construction survey to identify impacts to vegetation and substrate that have not restored naturally in the 90 day period. If permanent impacts are identified, including any alterations to hydrology or wetland vegetation that can not be corrected in place, the Permittee is required to obtain a permit amendment that includes wetland mitigation at a 4:1 ratio. If temporary impacts are identified after 90 days, the Permittee is required to submit a revegetation plan that includes replanting appropriate native species at a 1:1 ratio and monitoring the success of revegetation. If impacts remain after one year, the Permittee is required to apply for a permit amendment to address these impacts. These requirements will ensure that long-term impacts to wetland habitat will be avoided, or in the extremely unlikely event that permanent impacts do occur, these impacts will be adequately mitigated.

Consequently, the Commission finds that the third and final test of Coastal Act Section 30233(a) is also satisfied and the proposed project, with the inclusion of **Special Condition 1**, is consistent with Section 30233 of the Coastal Act.

F. SPILL PREVENTION AND RESPONSE

Coastal Act Section 30232 states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

This Coastal Act policy requires protection against spills of hazardous substances and effective management of spills should they occur. Project activities are subject to the facility's Spill Prevention Plan, which identifies measures meant to avoid potential releases and address those releases that may occur (see Exhibit 8). The Plan specifies spill prevention methods and response procedures should a release occur.

To provide further protection against spills related to project activities and to ensure the necessary response to any spills that may occur, **Special Condition 2** requires SCG to comply with the Spill Prevention and Response Plan submitted by Psomas on behalf of SCG on August 10, 2012 (included as Attachment 1 of the permit, and Exhibit 8 of the staff report). In addition, SCG is required to have immediately available an estimate of the worst-case release, appropriate containment protocols and equipment, a telephone contact list and a designated person to implement protocols and make the necessary contacts. With the inclusion of this condition, the Commission finds that the proposed project will be carried out in a manner that protects against spills of hazardous substances and provides for effective containment and cleanup should a spill occur and is therefore consistent with Coastal Act Sections 30232.

G. ARCHAEOLOGICAL RESOURCES

Coastal Act Section 30244 states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The location of the La Goleta Facility is within the historic territory of the Chumash and includes several known archaeological sites containing human remains, stone artifacts, tools, and other materials. An archeological survey conducted on September 7, 2011 indicated that several archaeological sites are near, but outside, of areas that would be excavated during project activities. To minimize impacts from potential archeological disturbances, SCG proposes to have all excavation and other earthmoving activities monitored by an archeologist and a Native American consultant who meets the requirements for County of Santa Barbara cultural resource monitors as outlined in the County's Archeological Guidelines. Prior to work at each excavation site, the archeologist will train workers on how to recognize archeological resources and what steps to take should any archeological resources be discovered. If archeological remains are discovered, all work in the area will stop immediately and will be restarted only after the significance of the remains is analyzed and the necessary investigation completed by the

archeologist and the Native American consultant in compliance with the County's Archeological Guidelines. SCG will notify the Executive Director at the commencement of any investigation associated with project activities and provide results of the investigation within 30 days of completion. With the above measures included in the project description, the Commission finds that the proposed project will be carried out in a manner that is protective of archaeological resources that may be encountered during project activities and is therefore consistent with Coastal Act Section 30244.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT

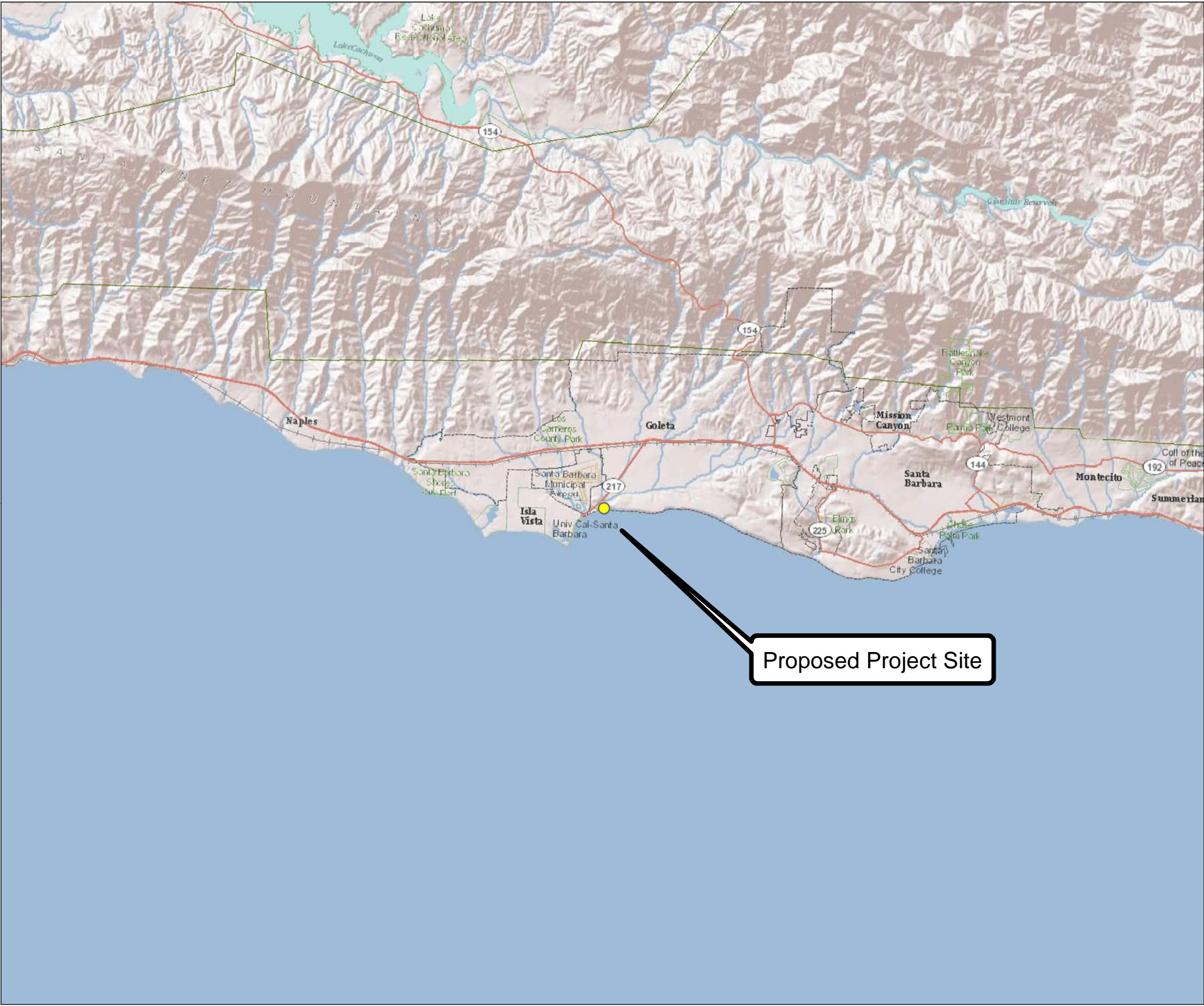
Section 13096 of the Commission's administrative regulations require Commission approval of coastal development permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act ("CEQA"). Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment. The project as conditioned herein incorporates measures necessary to avoid any significant environmental effects under the Coastal Act, and there are no less environmentally damaging feasible alternatives or mitigation measures. Therefore, the proposed project is consistent with CEQA.

Appendix A: Substantive File Documents

Southern California Gas Company, Coastal Development Permit application and accompanying documents, initially submitted June 14, 2012.

Southern California Gas Company, Response to Notice of Incompleteness, submitted August 10, 2012.

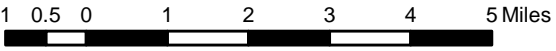
M:\2SOU153103\GIS\Tasks\JD Report\Figures\Fig 1 Regional Map.mxd 26-Apr-2012



**Southern California Gas Company
Coast 10 20617 L247, 159 and 128 Pipeline
Soil Sampling Project
Goleta, CA**



- Legend**
- Proposed Project Site
 - County Boundary



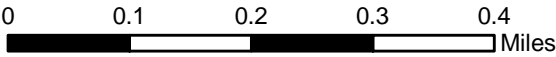


*Southern California Gas Company
Coast 10 20617 L247, 159 and 128 Pipeline
Soil Sampling Project
Goleta, CA*



Legend

 Project Area



Project Vicinity Map

PSOMAS

Figure 2



*Southern California Gas Company
Coast 10 20617 L247, 159 and 128 Pipeline
Soil Sampling Project
Goleta, CA*



Legend

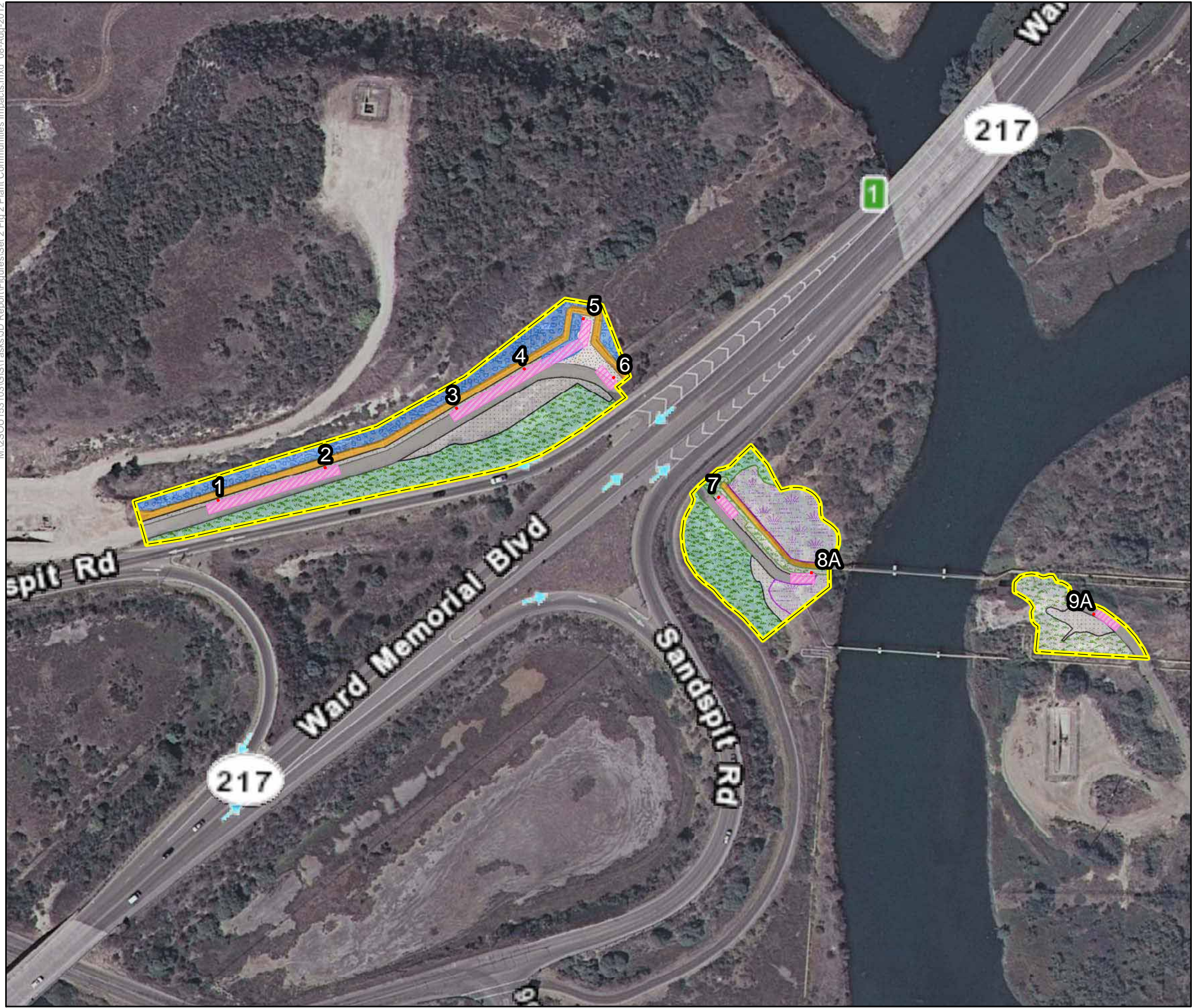
 Project Area



0 100 200 400 Feet

1 inch = 125 feet

Project Area Overview Map
PSOMAS Figure 1



**Southern California Gas Company
Coast 10 20617 L247, 159 and 128 Pipeline
Soil Sampling Project
Goleta, CA**

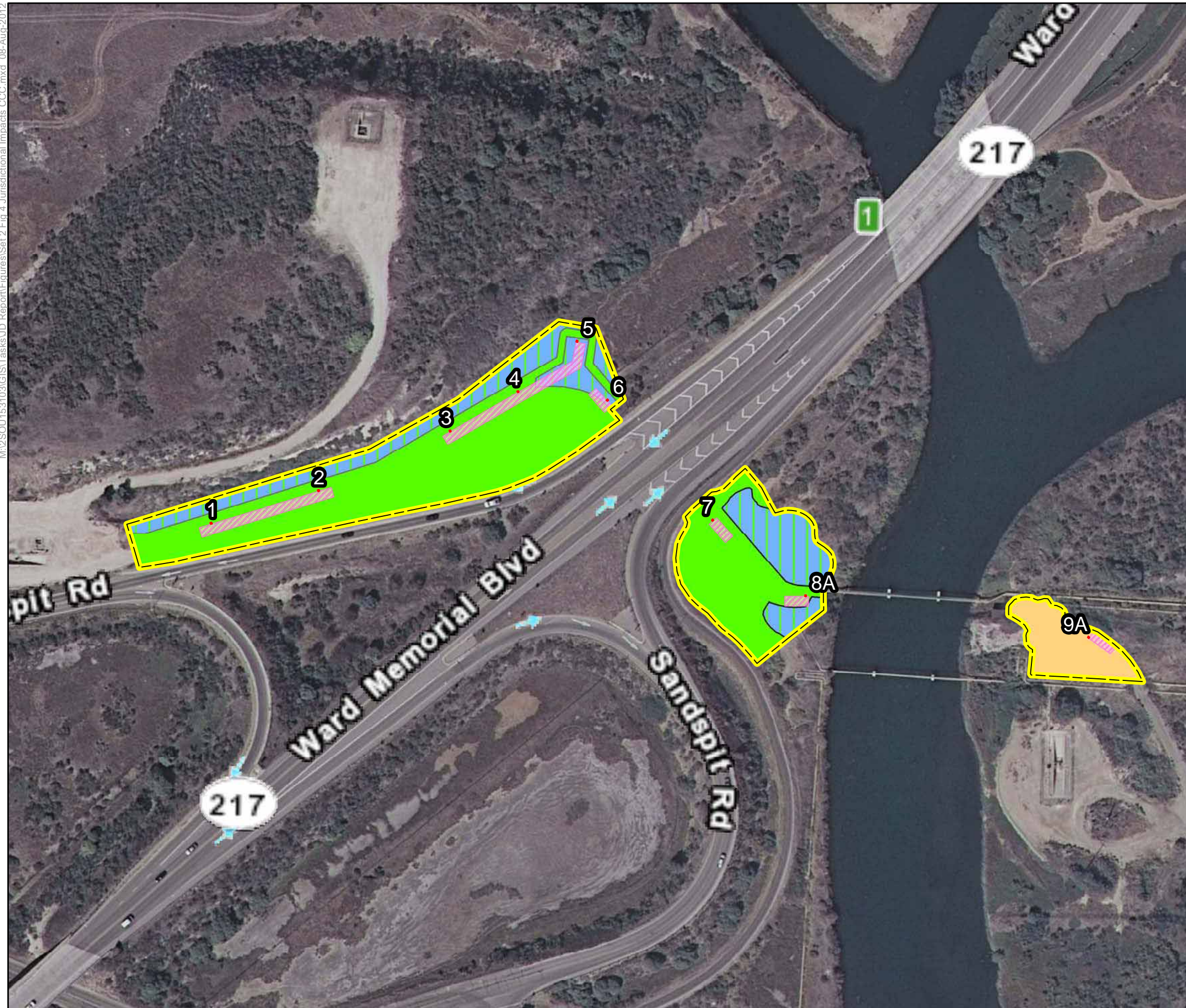


Legend

- Marsh
- Coyote Brush Scrub
- Disturbed Coyote Brush Scrub
- Mixed Riparian / Coyote Brush Scrub
- Sand Flats
- Disturbed Habitat
- Developed
- Pipeline
- Staging Area
- Borings - 2 sqft (Labeled "1", "2", etc)



0 150 300 Feet
1 inch = 125 feet



***Southern California Gas Company
Coast 10 20617 L247, 159 and 128 Pipeline
Soil Sampling Project
Goleta, CA***



Legend

-  Coastal Commission
-  ACOE & Coastal Commission
-  Non Jurisdictional
-  Staging Area
-  Borings - (Labeled "1", "2", etc)



1 inch = 125 feet

CCC Jurisdictional Area = 91,090 sq ft / 2.09 ac
Non-Jurisdictional Area = 9,311 sq ft / 0.21 ac
Project Area = 100,401 sq ft / 2.30 ac
Eight Boring Locations inside CCC = 34 sq ft

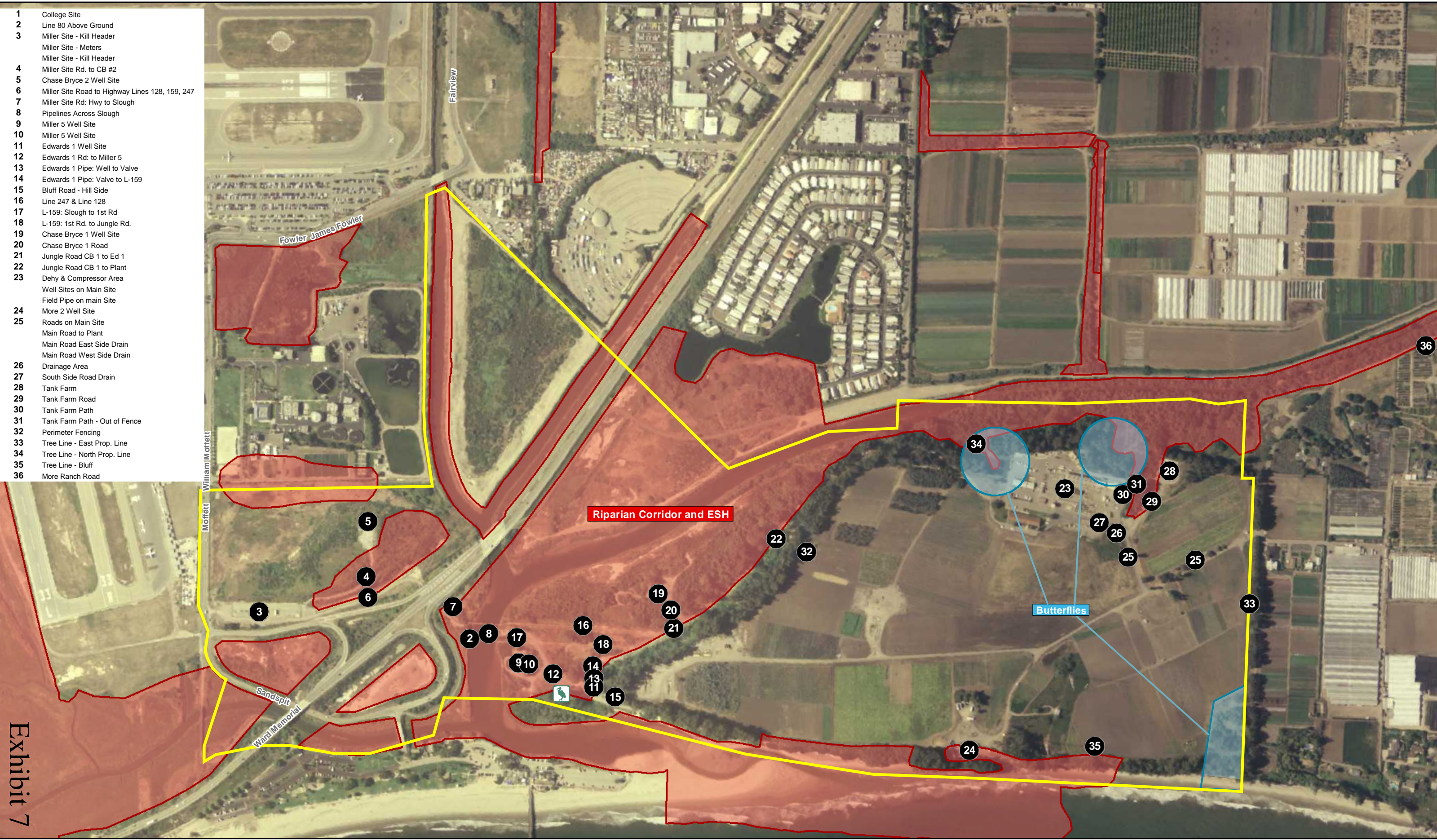
***Jurisdictional Impacts:
Coastal Commission***

PSOMAS

Figure 4



Exhibit 6: Image of existing failing wooden supports.



- 1 College Site
- 2 Line 80 Above Ground
- 3 Miller Site - Kill Header
- Miller Site - Meters
- Miller Site - Kill Header
- 4 Miller Site Rd. to CB #2
- 5 Chase Bryce 2 Well Site
- 6 Miller Site Road to Highway Lines 128, 159, 247
- 7 Miller Site Rd: Hwy to Slough
- 8 Pipelines Across Slough
- 9 Miller 5 Well Site
- 10 Miller 5 Well Site
- 11 Edwards 1 Well Site
- 12 Edwards 1 Rd: to Miller 5
- 13 Edwards 1 Pipe: Well to Valve
- 14 Edwards 1 Pipe: Valve to L-159
- 15 Bluff Road - Hill Side
- 16 Line 247 & Line 128
- 17 L-159: Slough to 1st Rd
- 18 L-159: 1st Rd. to Jungle Rd.
- 19 Chase Bryce 1 Well Site
- 20 Chase Bryce 1 Road
- 21 Jungle Road CB 1 to Ed 1
- 22 Jungle Road CB 1 to Plant
- 23 Dehy & Compressor Area
- Well Sites on Main Site
- Field Pipe on main Site
- 24 More 2 Well Site
- 25 Roads on Main Site
- Main Road to Plant
- Main Road East Side Drain
- Main Road West Side Drain
- 26 Drainage Area
- 27 South Side Road Drain
- 28 Tank Farm
- 29 Tank Farm Road
- 30 Tank Farm Path
- 31 Tank Farm Path - Out of Fence
- 32 Perimeter Fencing
- 33 Tree Line - East Prop. Line
- 34 Tree Line - North Prop. Line
- 35 Tree Line - Bluff
- 36 More Ranch Road

Exhibit 7

- | | |
|------------------|--|
| Storage Facility | Riparian Corridor & ESH |
| Heron Rookery | Monarch Butterfly ESH
- only applies to vegetated areas |
| | Approximate Property Boundary |

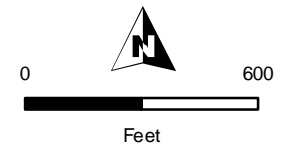


Figure 2: Location of Survey Areas

Geographic Services - GIS
Southern California Gas Co.
Date Created: August 26, 2010
Author: Jonathan Rubin
Y:\Maps_Folder\Environmental\Goleta\Goleta_ESHAreas11x17.mxd

Disclaimer: Southern California Gas Company (SCG) is providing this map as a courtesy and does not represent that the information contained herein is accurate. SCG disclaims all warranties, ex-pressed or implied, including the warranty of fitness for a particular purpose. The user is solely responsible for selecting this map and accepting any consequences resulting from the use therein.

Spill Prevention and Response

1. SPILL PREVENTION PROCEDURE

1.1. Spill Prevention Methods

1.1.1. Daily Equipment Inspection

All equipment, material, and vehicles to be used for construction activities shall be inspected for oil, fuel, or hazardous substance leaks prior to the day activities. This inspection shall take place within paved areas of the La Goleta. Facility

All inspection areas shall have sufficient controls to contain any leaks that may occur. Construction Best Management Practices for spill control will be implemented by having spill control (i.e. sandbags, absorbent materials) and cleanup kits onsite.

1.1.2. Refueling

All refueling of equipment and vehicles will occur on paved areas of the La Goleta Facility to the extent feasible. Field refueling will have spill control (i.e. fuel trays, sandbags, absorbent materials) and cleanup kits onsite.

The total amount of fuel onsite for project activities shall be estimated and available to the onsite safety personnel/project manager to allow for the worst case scenario if a release of fuel occurs.

2. RESPONSE PROCEDURE

2.1. Release Initial Response

As soon as a release is identified, the first steps to take are as follows:

STEP 1: SAFETY - Be Safe: If a release is identified, immediately assess the situation and ensure your safety and the safety of others.

STEP 2: ISOLATE - Isolate the incident to keep others away from the release area using, e.g., cones, barricades, caution tape or the positioning of a vehicle to block spill/release area from access.

Emergency Containment: If possible, and if you have proper training and personal protective equipment (PPE), stop the flow of the spill. Contain/dike the release (e.g., using absorbent or dirt) prior to internal notification only if it can be done quickly and will not significantly delay notification.

STEP 3: NOTIFY -

- If the incident requires emergency responders (fire or ambulance), e.g., there is an injury requiring emergency medical support, a fire or explosion has

occurred or fire department response is needed to assist with incident control, **immediately call 911.**

- If the release or spill does not require emergency responders, but triggers the need to notify agencies, The On-site representatives for Environmental or Safety will provide agency notifications if required. On-site personnel have been designated as Gary Rohrer and Dave Vasquez. Environmental Services Department staff can also provide support on the incident.
- ☐ Any spill, release or discharge of the following substances in a quantity greater than that shown in the table below:

Name	Quantity
Herbicides; Insecticides; Rodenticides	1 pint
Pesticides	1 gallon
Corrosives - pH less than 4, greater than 11	1 pint
Ignitables/Flammables - flash point less than 140 degrees F	1 gallon
Petroleum oil	42 gallons
Epoxy paint or glue	1 quart
Zinc chromate paint	1 pint
Mercury	1" diameter drop
Chlorinated solvents	1 gallon
Toxic gases (H ₂ S greater than 10 ppm, chlorine & ammonia)	100 cu. ft.
Any hazardous waste, i.e., waste oil, waste solvents or pipeline liquids	1 gallon

2.2. Immediate Notification

- 2.2.1. A company is required to “**immediately**” report a release or threatened release that meets or triggers reporting criteria, that is, as soon as the company has knowledge of the release. This ‘clock’ begins when the first employee of the company has knowledge of the release. Although immediate is not specifically defined by statute, it is very important not to delay initiating the reporting process.

2.3. Federal, State and Local Notification Requirements

- 2.3.1. Overview: There are numerous laws, regulations and ordinances that define the requirement to notify agencies when a release or threatened release of a hazardous substance, hazardous material or hazardous waste occurs. Reporting may be triggered by many factors including; the source of a release, impact of the release (where it travels to), permit condition under which the release occurred or other situations. Reporting may also be required even if no release has occurred, but a potential for a release to occur exists. Some incidents require local, state and federal reporting. Most incidents require contacting multiple agencies.
- 2.3.2. Federal Requirements: Federally regulated hazardous substances include hundreds of chemicals that if released into the environment in any amount

equal to or exceeding their established reportable quantity (RQ) over a 24-hour period require agency notification. The key requirements for emergency release reporting are codified in the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) and the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). Federal triggers require notification to the National Response Center (NRC) and the state and local emergency planning committees (SEPC/LEPC) which is the California Emergency Management Agency (Cal EMA), formerly known as the California Office of Emergency Services (OES) and the local lead agency for emergency notification, most often the Certified Unified Program Agency (CUPA). Additionally, if a CERCLA RQ is met or exceeded, a notice to potential injured parties must be published in a local newspaper that services the affected area. (42 USC 96111(g)).

- 2.3.3. State Requirements: The state of California reporting requirements are more stringent than federal requirements because the state of California does not use federal reporting quantities (RQs) for their reporting triggers. For California, all releases or spills of a **hazardous material** that could reasonably be believed to pose a significant or potentially significant hazard to human health & safety, property or the environment must be reported. The definition of hazardous material includes hazardous substances and hazardous waste.
- 2.3.4. Local Requirements: The local lead agency for emergency notification is the Certified Unified Program Agency (CUPA), Administering Agency (AA) or Participation Agency (PA) depending on your location. Local requirements for notification may vary, so it is important to check if your CUPA has specific guidelines for emergency notification. Local storm water ordinances may also have specific reporting triggers and timeline requirements.
- 2.3.5. Project Plan or Permit Requirements: Project plans or operation permits may also include notification requirements specific to the work activities.

2.4. Who to Notify

- 2.4.1. State and Local Agencies: At a minimum for non-emergency threatened or actual reportable releases, two calls need to be made for all California reportable releases. When a *reportable* release or threatened release is identified, you must **immediately** notify:
 - the California Emergency Management Agency (Cal-EMA), formerly known as, Office of Emergency Services (OES), and
 - the local Certified Unified Program Agency (CUPA).
- 2.4.2. National Reporting Center (NRC): If a release meets or exceeds a federal threshold or reportable quantity (RQ) or creates an oil sheen in a waterway or is ≥ 42 gal of petroleum to land, also **immediately** notify the National Reporting Center (NRC) in addition to Cal-EMA (formerly OES) and the CUPA.

2.4.3. Additional Agencies: The agencies listed above must always be called for a reportable release or threatened release. Additional agencies may also require notification.

2.4.4. Documentation of Calls: The Field Environmental Representative making the agency call should document all notification information: the agency(ies), individual(s) name(s) and their title(s) notified, time and date each notification was made.

2.4.5. What Information to Provide Agencies

For reportable incidents, provide the following information to the agencies. Be sure that statements are accurate and if there are details or information that is not known, it is OK to say that you don't know.

- ☐ Identify your Company, your name and your call back number
- ☐ Exact incident location, date and time of the release or threatened release
- ☐ Material released and estimated quantity (if known, report is chemical is extremely hazardous)
- ☐ Description of event (what happened)
- ☐ If waterway or stormdrain was impacted
- ☐ Any injuries / fatalities / evacuations
- ☐ Other Agencies notified / agencies on scene

Additionally, for reports to the NRC (federal), the following information is also required:

- ☐ The medium impacted by the release (air, water, soil)
- ☐ Duration of the release
- ☐ Proper precautions to take and known or anticipated health risks

(Be sure to ask the agency representative for their incident number (if assigned by the agency). This number should be referenced if updates are provided on the incident or any reports are provided.)

2.4.6. Agency Telephone Numbers Reference

Agency contact numbers are listed on the [Environmental Services' intranet site](#).

2.4.7. Verbal Updates to the OES

The FER making agency notification may not have all the information about a release or incident when the first, immediate notification is made to the agencies (Cal-EMA, formerly known as OES, and the CUPA). It is best to make the initial verbal notification *immediately* when a reporting trigger is

met, then follow up when more information is obtained or there is a significant change to the information you initially provided. It is OK to say 'unknown.' Examples for when to provide Cal-EMA an update includes; significant change in the volume of the release, updates to the source or cause, and if waterways become impacted. The incident number should be referenced when updates are made to the Cal-EMA. The National Response Center (NRC) does not accept verbal or written updates.

2.5. Written Incident Follow Up Report To Agency(ies)

2.5.1. Many reportable releases require a written follow up report, but not all. Written follow up requirements to multiple agencies may also be triggered by facility or programmatic permits. Due dates for these reports vary depending on incident type and applicable permits. Environmental Services and the SE Environmental Law Dept. should be contacted to identify if they need to review the incident written follow-up report(s) prior to submittal to an agency. Written follow-up reports include, but are not limited to:

2.5.1.1. Hazardous Material: For any federal reportable quantity release of a hazardous material, a written report must be submitted to the Cal-EMA using the OES Form 304 'as soon as practicable.' The [EPA Enforcement Response Policy for Sections 304, 311 and 312 of EPCRA and Section 103 of CERCLA](#) provides guidance that 'as soon as practicable' is **within 7 days of the release**. The Form 304 fulfills EPCRA and CERCLA reporting requirements. The Cal-EMA/OES Form 304 is not required to be completed for California-only reportable releases and petroleum-related releases. If a federal RQ is exceeded for a listed EPCRA and/or CERCLA substance, the Cal-EMA/OES Form 304 should be completed as soon as practicable or no more than **7 days** of occurrence per the [EPA Enforcement Response Policy](#). A copy of the Cal-EMA/OES Form 304 is also required to be sent to the local CUPA. The Cal-EMA/OES Form 304 must be used and is available electronically on the Environmental Services' website ([link](#) to electronic Cal-EMA/OES Form 304).

2.5.1.2. Transportation Related: For a release of any Department of Transportation (DOT) Hazardous Material that occur during transport of the hazardous material/waste, a Hazardous Materials Incident Report must be submitted to the DOT within 30 days of the incident. There are some incident conditions that require a written report to DOT even though no release occurred, e.g., serious damage to a cargo tank. (49 CFR 171.16)

2.5.1.3. Permit Related: If an environmental permit exists for a facility, project or location where a release or spill occurs, then additional permit-related follow-up reports may be required as specified in the permit conditions.

3. Project Personnel

3.1. Environmental Compliance Contact Information

- James Chuang, Environmental Specialist/Land Planner (213) 248 1566
- Seth Rosenberg, Environmental Specialist/Archeologist (213) 500 4568

3.2. Project Construction Team

- Noelle Gutierrez, Project Manager, Transmission (213) 435 9477
- Erica Chabot, Engineer, Gas Engineering (213) 244 5012
- Glenn La Fevers, Station Ops. Mgr. Goleta Storage, (805) 681 8068
- Bob Hilty, Station Ops Supv. Goleta Storage, (805) 681-8064
- Todd Tuttle, Station Maint. Supv. Goleta Storage, (805) 901-7188
- Dennis Lowrey, Techl Advr Goleta Storage, (805).681.8072
- Damian Hernandez, Techl Spec, Goleta Storage, (805) 797-1456

3.3. Agency Contacts

- Kate Huckelbridge, California Coastal Commission (415) 904 5200
- Bruce Henderson, Army Corps of Engineers Regulatory (805) 585 2140
- Kylie Hensley, Central Coast Regional Water Quality Control Board (805) 549 3876