

CALIFORNIA COASTAL COMMISSION

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F12a

March 7, 2012

TO: Coastal Commissioners and Interested Parties

FROM: Alison J. Dettmer, Deputy Director / Tom Luster, Staff Environmental Scientist – Energy, Ocean Resources, and Federal Consistency Division

SUBJECT: **ADDENDUM** to Staff Report for E-11-031: Southern California Gas Company – Pipeline Maintenance and Vegetation Management Plan at La Goleta Facility in Goleta, Santa Barbara County

This addendum provides staff's recommended revisions to the above-referenced staff report. The revisions received do not change staff's recommendation that the Commission **conditionally approve** the coastal development permit application.

REVISIONS TO STAFF REPORT

Staff's recommended revisions are shown below in ~~striketrough~~ and **bold underline** text. Revisions to the recommended Special Conditions are provided first, followed by revisions to the recommended Findings.

REVISIONS TO STAFF'S RECOMMENDED CONDITIONS

Special Condition 2.c:

"Nesting surveys: the Biologist(s) shall conduct nesting surveys consistent with the California Department of Fish and Game October 10, 2011 approval of project activities **as described in Exhibit 4**. Prior to project activities, the Biologist(s) shall survey all breeding/nesting habitat at the project site, and if listed species are present, shall continue conducting the surveys every seven days for eight consecutive weeks. If breeding is observed or active nests located, project activities shall not occur within 300 feet (500 feet for raptors) of such nests until any young birds have fledged and left the area. Upon request by the Executive Director, the Biologist(s) shall provide documentation of each survey conducted and the measures taken to avoid impacts to any observed breeding birds or active nests."

Special Condition 3:

“Restoration Plan for Native Vegetation: ~~No later than September 1 of each year~~ **Prior to the start of any vegetation clearing,** the Permittee shall provide documentation to the Executive Director showing the total square footage and habitat type (e.g., coastal scrub upland, wetland transition zone, riparian, etc.) of native vegetation **to be** cleared, trimmed, or otherwise managed during the ~~previous twelve months~~ **planned pipeline maintenance activities and the five-year vegetation management period.** The documentation shall also include, for Executive Director review and approval, a proposed Restoration Plan that addresses the loss of native vegetative functions associated with this vegetation management. The Plan shall identify sites within the La Goleta Facility where the Permittee will remove an area of invasive or non-native vegetation equal in size to the **total** area of managed native vegetation ~~from the previous year identified above~~ (i.e., 1:1 mitigation) **and will replant with native vegetation during the first year of the project.** The Plan shall identify the native species to be planted and shall ensure the species are appropriate to the respective habitat type of the area to be planted. The Plan shall also specify that invasive or non-native species will be removed by hand where feasible and that any herbicide use will be minimized, used on invasive or non-native species only, and will be limited to Glyphosate Aquamaster (previously Rodeo). Planting of native species shall take place in the fall only to enable root establishment during the rainy season.

Documentation for all years subsequent to the first year shall also identify the success rate of the restored area(s) as measured by percent cover and percent of native vegetation within the area(s). If after five years the restored area(s) do not provide at least 80% cover of native vegetation and at least 80% total native vegetation, the Permittee shall either propose replanting the area(s) to achieve those levels or propose additional planting areas.”

Special Condition 4:

“Use of Chemicals to Control Vegetation: Chemicals used to clear or control vegetation within 50 feet of open water or wetlands shall consist only of the Permittee’s selected herbicide (i.e., Monsanto AquaMaster) and the selected non-ionic surfactant (Agri-Dex). Use of the proposed colorant (Bullseye) shall be limited to areas at least 50 feet from open water or wetlands. Chemicals shall not be used to clear or control areas of native vegetation. Prior to use of chemicals, the qualified biologist(s) shall, **between March 1 and May 15 of each year,** survey the area to be sprayed during **the upcoming year** and identify with flagging all areas with native vegetation to be avoided and the above minimum 50-foot distance from open water or wetland areas. **The Executive Director may approve changes to the above chemicals upon the Permittee’s request and with adequate documentation showing that the proposed chemicals are suitable for the proposed use and habitat type(s).”**

REVISIONS TO STAFF’S RECOMMENDED FINDINGS

Section 4.4.1, Environmentally Sensitive Habitat Areas (ESHA)

Page 17, second paragraph:

“**Best Management Practices and project timing to avoid/reduce ESHA impacts:** SCG proposes to conduct activities needed to maintain culverts only during the dry season (between May 31 and September 1). SCG has also proposed conducting the activities outside of bird breeding and nesting season (February 15 to August 31), to the extent feasible. For any work during that season, SCG would have a qualified biologist conduct a nesting bird survey. During activities near any identified nests, SCG would have the biologist present to ensure activities occur at a distance sufficient to not disturb nesting birds, and to maintain that distance until any fledglings have left the nest. Activities within that distance would be delayed until after fledging. As shown in Exhibit 4, CDFG has additionally required, for activities proposed between March 1 and ~~December 1~~ **August 31 (or September 15 if Least Bell’s Vireo or willow flycatcher are present)** of any year, that nesting surveys be conducted at least every seven days for eight weeks prior to the activities, and that project activities not occur within 300 feet of any active nests (500 feet for raptors) until after the fledglings have left the area. If any listed threatened or endangered species are observed within 500 feet of a work area, CDFG further prohibits activities from occurring until SGC prepares a plan to ensure these species are not disturbed during project activities and that plan is approved by CDFG. To further reduce potential impacts to sensitive bird species, **Special Condition 1** allows SCG to conduct activities during the ~~February 15 to December 1~~ **above nesting period(s)** only when needed due to federal requirements, and that those required activities be conducted as late in the season as possible.”

Page 19, first full paragraph, third sentence:

“To address the loss of native vegetation associated with the project, **Special Condition 3** requires SCG to provide a Restoration Plan for Executive Director review and approval that identifies the total square footage of native vegetation that ~~is~~ **will be** cleared, trimmed, or otherwise maintained ~~each year as part of~~ **during** the project and to then remove from an equal-sized area invasive or non-native vegetation and replant with native vegetation.”

Section 4.4.3 Archaeological Resources

Page 22, first paragraph:

“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 initial project-related survey conducted on September 7, 2011 indicated that several archaeological sites are near, but mostly outside of areas that would be excavated during project activities. **SCG found evidence of scattered surface artifacts in part of the project area and has initiated Phase 2 survey work pursuant to the County’s Archaeological Guidelines described below.**”

REVISIONS TO EXHIBITS

Exhibit 4, page 5, bullet 4, first sentence:

“The Operator shall not remove or otherwise disturb vegetation or conduct any other project activities on the project site from March 1 to ~~December 1~~ **August 31** to avoid impacts to breeding/nesting birds.”

Exhibit 4, page 6, last bullet, last sentence:

“Notification shall be sent to the Department at ~~4949 Viewridge Avenue, San Diego, 92123, Attn: ES. FAX Number (858) 467-4299~~ **3883 Ruffin Road, San Diego, 92123, Attn: ES. Email R5LSA@dfg.ca.gov**, Reference #1600-XXXX0-XXXX-R5.”

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STAFF REPORT
COASTAL DEVELOPMENT PERMIT APPLICATION

APPLICATION FILE NO.: E-11-031

APPLICANT: Southern California Gas Company

PROJECT LOCATION: La Goleta Natural Gas Storage Facility (1171 More Ranch Road), Goleta Slough, Santa Barbara County.

PROJECT DESCRIPTION: Pipeline maintenance and vegetation management activities at La Goleta Natural Gas Storage Facility.

SUBSTANTIVE FILE DOCUMENTS: See Appendix A

STAFF RECOMMENDATION: *Approval with conditions.*

SUMMARY OF STAFF RECOMMENDED FINDINGS

The proposed project involves a number of activities needed to prepare natural gas pipelines for required inspections and to maintain those pipelines and surrounding vegetation to meet federal safety requirements. These activities would occur within part of the Southern California Gas Company's (SCG's) La Goleta Facility, in Santa Barbara County. The activities would occur at several dozen sites within the Facility – some within the County's Local Coastal Program jurisdiction and some within the Commission's retained jurisdiction. The Findings herein address only those activities within the Commission's retained jurisdiction.

Most of the activities would occur at sites with interspersed native vegetation consisting of Environmentally Sensitive Habitat Area (ESHA), wetlands, areas of non-native or invasive vegetation, and existing development associated with the Facility, such as pipelines, roads, or wellheads. There are several known archaeological resources within the La Goleta Facility boundaries, and the Facility is also adjacent to Goleta County Beach Park, which provides recreation and public access to the shoreline.

Because the project consists of repair and maintenance activities, it is subject to review under Coastal Act Section 30610 and the associated administrative regulations at 14 CCR Section 13252. These review provisions are discussed in more detail in Section 4.2 of these Findings, but in essence, they establish that while repair and maintenance activities do not normally need a permit, the Commission may require a permit for those activities that involve a risk of substantial adverse environmental impacts. These include, among other things, activities that occur in or near 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 and near Goleta Slough, which provides important habitat for numerous wildlife species, particularly birdlife, and a number of sensitive plant species. **Special Condition 1** would restrict the timing of project activities to protect ESHA, and **Special Condition 2** ensures that a qualified biologist implements a number of requirements meant to protect ESHA, including nesting surveys, worker training, monitoring, and reporting. **Special Condition 3** would require submittal and implementation of a Restoration Plan to ensure restoration of native vegetation equal to that affected due to the project's vegetation management activities. **Special Condition 4** limits the use of herbicides and other chemicals used for vegetation control to non-native vegetation and to areas away from wetlands and open coastal waters. **Special Condition 5** similarly restricts the method of painting in areas near native vegetation and coastal waters.
- **Protection of Marine Life and Water Quality:** The project activities would occur in and near coastal waters. In addition to the above-referenced Special Conditions, which would reduce potential effects on marine life and water quality as well as ESHA, **Special Condition 6** 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. To minimize the effects of potential archaeological disturbances, **Special Condition 7** requires SCG to conduct excavations pursuant to County guidelines, which include monitoring by an approved archaeologist and Native American consultant, "stop work" upon detection, and phased surveys, as needed to protect any identified sites.

Staff Recommendation: Staff recommends the Commission *conditionally approve* the proposed project.

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EXHIBIT 2a:	Site Layout for Pipeline Testing Activities
EXHIBIT 2b:	Site Layout for Pipeline and Vegetation Management Plan
EXHIBIT 3:	Pipeline and Vegetation Management Plan
EXHIBIT 4:	California Department of Fish and Game Conditions of Approval

1.0 RECOMMENDED MOTIONS AND RESOLUTIONS

1.1 MOTION

“I move that the Commission approve Coastal Development Permit No. E-11-031 pursuant to the staff recommendation.”

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

1.2 RESOLUTION

The Commission hereby approves the Coastal Development Permit for the proposed project and adopts the findings set forth below on grounds that the development 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.

2.0 STANDARD CONDITIONS

This permit is 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.

3.0 SPECIAL CONDITIONS

This permit is subject to the following special conditions:

- 1) **Timing of Project Activities:** All activities shall occur outside of the bird breeding and nesting season (February 15 through August 31 of any year) unless the Permittee provides documentation for Executive Director review and approval showing that proposed activities are required to occur during that period in order to meet federal pipeline safety regulatory requirements or deadlines. Any activities required during the breeding and nesting season shall occur as late in the season as possible.
- 2) **Protection of ESHA, Wetlands, and Water Quality – Qualifications and Responsibilities of Project Biologist:**
 - a. **Prior to starting project activities**, the Permittee shall hire one or more Biologists to implement mitigation measures of the approved project. The Biologist(s) are to be approved by the Executive Director and must meet the following minimum qualifications:
 - At least a bachelor's degree in biological sciences, zoology, botany, ecology, or a closely related field;
 - At least three years of field biology experience or current certification through a nationally recognized biological society, such as the Ecological Society of America or The Wildlife Society; and,
 - At least one year of field experience with biological resources found in or near the project area.
 - b. The Permittee shall ensure that the approved Biologist(s) conduct the following before and during any project activities involving mobilization, ground disturbance, vegetation clearing, excavation, painting, or any other repair and maintenance activities that could adversely affect coastal waters, environmentally sensitive habitat areas, wetlands, or their associated biological resources:
 - Clearly identify sensitive biological resources to be avoided on and near the site of planned project activities prior to the start of those activities. These resources include:
 - Areas of native vegetation
 - Areas containing wetland vegetation
 - Locations of nesting birds
 - Conduct worker training to identify the location and types of sensitive biological resources on and near the project sites and the measures to be taken to avoid and reduce adverse effects on those resources.
 - Conduct monitoring at and near active project sites to ensure mitigation measures are functioning in a manner that avoids adverse impacts, or if avoidance of adverse impacts is not possible, minimizes such impacts.

- c. Nesting surveys: the Biologist(s) shall conduct nesting surveys consistent with the California Department of Fish and Game October 10, 2011 approval of project activities. Prior to project activities, the Biologist(s) shall survey all breeding/nesting habitat at the project site, and if listed species are present, shall continue conducting the surveys every seven days for eight consecutive weeks. If breeding is observed or active nests located, project activities shall not occur within 300 feet (500 feet for raptors) of such nests until any young birds have fledged and left the area. Upon request by the Executive Director, the Biologist(s) shall provide documentation of each survey conducted and the measures taken to avoid impacts to any observed breeding birds or active nests.

- 3) **Restoration Plan for Native Vegetation:** No later than September 1 of each year, the Permittee shall provide documentation to the Executive Director showing the total square footage and habitat type (e.g., coastal scrub upland, wetland transition zone, riparian, etc.) of native vegetation cleared, trimmed, or otherwise managed during the previous twelve months. The documentation shall also include, for Executive Director review and approval, a proposed Restoration Plan that addresses the loss of native vegetative functions associated with this vegetation management. The Plan shall identify sites within the La Goleta Facility where the Permittee will remove an area of invasive or non-native vegetation equal in size to the area of managed native vegetation from the previous year (i.e., 1:1 mitigation). The Plan shall identify the native species to be planted and shall ensure the species are appropriate to the respective habitat type of the area to be planted. The Plan shall also specify that invasive or non-native species will be removed by hand where feasible and that any herbicide use will be minimized, used on invasive or non-native species only, and will be limited to Glyphosate Aquamaster (previously Rodeo). Planting of native species shall take place in the fall only to enable root establishment during the rainy season.

Documentation for all years subsequent to the first year shall also identify the success rate of the restored area(s) as measured by percent cover and percent of native vegetation within the area(s). If after five years the restored area(s) do not provide at least 80% cover of native vegetation and at least 80% total native vegetation, the Permittee shall either propose replanting the area(s) to achieve those levels or propose additional planting areas.

- 4) **Use of Chemicals to Control Vegetation:** Chemicals used to clear or control vegetation within 50 feet of open water or wetlands shall consist only of the Permittee's selected herbicide (i.e., Monsanto AquaMaster) and the selected non-ionic surfactant (Agri-Dex). Use of the proposed colorant (Bullseye) shall be limited to areas at least 50 feet from open water or wetlands. Chemicals shall not be used to clear or control areas of native vegetation. Prior to use of chemicals, the qualified biologist(s) shall survey the area to be sprayed and identify with flagging all areas with native vegetation to be avoided and the above minimum 50-foot distance from open water or wetland areas.
- 5) **Painting:** Prior to any painting activities, the qualified biologist(s) shall survey the area and identify with flagging all areas of native vegetation to be avoided and any areas within 50 feet of open water or wetlands. Painting done within 50 feet of open water or wetlands shall be done by hand only (i.e., no use of spray equipment).

- 6) **Spill Prevention and Response:** Prior to each day's work, all equipment, materials, and vehicles to be used for project activities shall be inspected for oil, fuel, or hazardous substance leaks. This inspection, and all fueling, shall take place within paved areas of the La Goleta Facility with sufficient controls to contain any leaks that may occur. During project activities, 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. ***Prior to the start of project activities***, the Permittee shall provide for Executive Director review and approval, a plan describing all of the above measures.

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 spill response measures of 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 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.

- 7) **Archaeological Resources:** The Permittee shall have all excavation and similar earth-disturbing activities monitored by an archaeologist meeting the County of Santa Barbara requirements for cultural resource monitors and by a Native American consultant in compliance with provisions of the County Archaeological Guidelines. Prior to work at each excavation site, the Permittee shall hold a worker orientation meeting for the approved archaeologist to provide workers with sufficient training to recognize archaeological resources that may be encountered and to identify measures that must be taken if encountered. The Permittee shall provide, for Executive Director review and approval, documentation of a contract between the Permittee and the archaeologist describing the scope of work and ensuring the presence of the archaeologist during all earth-disturbing project activities.

Should any archaeological remains be encountered during these activities, the Permittee shall immediately stop work in the area of those remains. Work shall be restarted only after: 1) the archaeologist and Native American consultant evaluate the significance of the remains, and 2) conduct the necessary investigation pursuant to the County's Archaeological Guidelines. Results of the investigation shall be provided to the Executive Director within 30 days of completion.

4.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

4.1 PROJECT PURPOSE AND DESCRIPTION

PROJECT SITE CHARACTERISTICS

Existing Development: The proposed project activities would take place at the La Goleta Natural Gas Storage Facility in unincorporated Santa Barbara County and near the Goleta Slough (see Exhibit 1 – Map of Project Location). The La Goleta Facility is operated by Southern California Gas Company (SCG), which stores several billion cubic feet of natural gas in a permeable sandstone formation several thousand feet below the ground surface. The facility has been used for natural gas operations and storage since 1921, and includes a number of injection wells, pipelines, processing areas, and other ancillary equipment. Other nearby land uses include the Santa Barbara Airport to the west, mixed uses to the north, agricultural use to the east, and Goleta Beach County Park and the Pacific Ocean to the south.

Site and Area Habitat: The proposed activities would occur in the area of Goleta Slough, which includes environmentally sensitive habitat areas, wetlands, coastal waters, and other sensitive coastal resources (see Exhibits 2a and 2b – Site Layout for Pipeline Testing Activities and Site Layout for Pipeline and Vegetation Management Plan). Most of the area close to the open waters of the Slough are designated as Riparian Corridor and Environmentally Sensitive Habitat. Nearby areas within the Facility include three areas designated as Monarch Butterfly Environmentally Sensitive Habitat. Several of the proposed activities would occur at sites where the existing development is interspersed with areas of wetlands, sensitive habitat, and ruderal habitat. The area additionally provides known or potential habitat for several state-listed special status animal species – the white-tailed kite (*Elanus leucurus*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Dendroica petechia brewsteri*), and yellow-breasted chat (*Icteria virens*). There is also a great-blue heron rookery near the site's southern boundary. Numerous other sensitive bird species have been sighted in and near the slough, including the peregrine falcon (*Falco peregrinus*), California brown pelican (*Pelecanus occidentalis californicus*), and Belding's savannah sparrow (*Passerculus sandwichensis beldingi*).

Although much of the site is dominated by non-native vegetation, the area provides potential habitat for four other sensitive plant species – southern tarplant (*Centromadia parryi* spp. *australis*), Coulter's goldfields (*Lasthenia glabrata* spp. *coulteri*), Santa Barbara honeysuckle (*Lonicera subspicata* spp. *subspicata*), and black-flowered figwort (*Scrophularia atrata*). One endangered plant species – salt marsh bird's beak (*Cordylanthus maritimus*) – is known to exist within the Goleta Slough area, but has not been identified on site. Field surveys conducted in 2008 found no sensitive plant species in areas where the proposed maintenance activities would occur.

PROPOSED PROJECT ACTIVITIES

The proposed project consists of two main sets of activities: 1) pipeline maintenance activities associated with required hydraulic testing; and, 2) a five-year Vegetation and Pipeline Management Plan. SCG proposes to conduct the maintenance activities described herein in response to pipeline safety requirements of the U.S. Department of Transportation (pursuant to 49 C.F.R. Part 192). The proposed maintenance activities for testing will be conducted on Line 5026 and Line 159, which are used to transport natural gas at the La Goleta Facility. The proposed Vegetation and Pipeline Management Plan is meant to allow ongoing required maintenance and repair of pipelines and other equipment at 36 sites within the facility, 14 of which are within the Commission's retained jurisdiction (see list of sites below).¹

1) Pipeline maintenance activities for hydraulic testing: SCG proposes to conduct these activities at five locations along the pipeline route within the Goleta Slough area (see Exhibit 2a). The proposed activities include removal or installation of various equipment and excavation totaling up to about 225 cubic yards of soil. Specific activities at each site include:

- **Activity Site C:** SCG will place cribbing beneath Line 5026 to provide additional support during the pipeline inspection. The cribbing will consist of 4-inch by 6-inch 4-foot long hardwood skids that will be stacked on the ground beneath the pipeline. No excavation is needed at this location. The ground surface is largely bare soil or ruderal vegetation.
- **Activity Site D:** SCG will remove approximately 53 linear feet of outer casing from both Line 5026 and Line 159. The site consists largely of gravel or bare soil and ruderal vegetation. Work will include excavating an area around and under the pipelines to allow the casings to be removed and the pipelines inspected and painted. The area of excavation will total about 20 feet wide by 56 feet long by five feet deep. Activities at this site also include installing concrete road crossing collars to provide additional support for the pipelines. The collars are about 48 feet long, five feet wide, and will extend about five feet into the soil. They include four-foot wing walls on each end. After installation, load-bearing traffic grating will be placed on top of the collars. Work will involve the use of a 60-ton crane, which has a boom height of up to about 40 feet, along with welding rigs, a backhoe, and several personnel and equipment trucks.
- **Activity Site E:** At this location, SCG will excavate beneath Line 5026 an approximately four-by-four foot area about three feet deep. Based on conditions determined at the time of excavation, SCG may determine that a slide valve support will need to be installed to prepare the pipeline for testing. This would require a similarly-sized excavation located between Activity Sites D and F. This site consists largely of bare soil and largely ruderal vegetation.

¹ As described in Section 4.2 of these Findings, the County of Santa Barbara on October 3, 2011 issued a coastal development permit for portions of the project within its jurisdiction.

- **Activity Site F:** SCG will install a plug valve and spool, and will replace two existing pipeline supports with new concrete supports and rollers. The new supports will each require an excavation area with dimension of four-by-four feet and three feet deep. The site consists primarily of areas with ruderal and non-native vegetation.
- **Activity Site G:** SCG will use hand tools to excavate a 30-by-10 foot area of soil that has flowed to beneath part of Pipeline 5026. Excavation will be to just the original ground surface and is meant to ensure the pipeline is not in contact with soil. Vegetation at this site is ruderal and non-native. This site is about 75 feet from the open coastal waters of Goleta Slough, with the remaining sites inland and more distant from those waters.

The pipelines will remain in service during these external repairs, though will then be taken out of service to allow the required hydrostatic testing to occur. The project activities are subject to the Facility's Spill Prevention Plan, which includes measures meant to avoid potential releases and to address any releases that may occur.

Staging for these activities will occur on existing paved or graveled surfaces within the Facility, such as existing roadways or other similar disturbed areas. SCG expects the above activities at Site D to take up to about five weeks and involve 7 to 10 workers. The remaining activities are expected to take place over an 8-10 week period with a work force varying from 7 to 18 workers.

2) Five-year Vegetation and Pipeline Management Plan: SCG proposes to implement a five-year Vegetation and Pipeline Management Plan meant to ensure pipeline integrity and to comply with access and safety requirements. Activities covered under the Plan would occur at 36 sites, 14 of which are within the Commission's retained jurisdiction (see Exhibit 2b). The Plan (see Exhibit 3 – Proposed Vegetation and Pipeline Management Plan) includes the following activities:

- **Clearing, trimming, and/or spraying vegetation:** Activities include clearing vegetation from within ten feet of pipelines, field electrical system equipment, and culverts, and ten feet on each side of fences and gates. Clearing would be done by trimming or cutting vegetation with hand tools, such as loppers, pruners, motorized weed whackers and saws. Clearing at some sites may involve the use of a mechanized lift. Clearing would include above-ground material only – i.e., no disturbance to the root zone. Spraying with herbicides mixed with activator and colorant could occur up to several times per year, though would be limited to areas of non-native vegetation only. Cut vegetation would be left in place, chipped, or hauled away for disposal.
- **General pipeline maintenance:** Activities include conducting inspections by vehicle or on foot along above-ground pipelines and valves. Maintenance could include servicing, repairing, removing, and replacing pipelines, valves, and other appurtenances. These activities could occur about once per month.

- **Painting pipelines and supports:** Activities include using hand-held power and non-power tools to prepare surfaces (i.e., scraping and sanding) and to paint. Any compressors or generators used would remain on the nearest existing roadway. Paint sprayers could be placed closer to equipment being painted. SCG would use either water- or oil-based paints that conform to air quality rules. This work would occur every few years.
- **Repairing pipeline supports:** Activities could include use of a welding truck, generator, air compressor, boom truck, backhoe, and smaller support vehicles. Most vehicles would remain on the nearest roadway. SCG expects this work to occur infrequently.
- **Repairing damaged roadways:** Activities include using vehicles and/or work crews to fill potholes with gravel or asphalt and compact the roadway fill. Work would occur infrequently and only on existing roads.

As noted previously, the proposed Plan covers activities at 36 sites within the La Goleta Facility; however, only the activities and sites listed below are within the Commission's retained jurisdiction. Most of the areas subject to vegetation and pipeline maintenance areas are accessible from existing paved or gravel roads within the La Goleta Facility. Work at all sites except Site 8 would include clearing vegetation to ten feet away from pipelines and other equipment to allow visual inspection, painting, and/or maintaining required clearances. Other activities include those listed below:

- **Site 2** includes an above-ground section of pipeline within several feet of the top of the Goleta Slough bank channel. Work at this site would include repairing pipeline supports and painting. Portions of the pipeline have been overgrown with both non-native and native vegetation, such as quail bush, coyote bush, pickleweed, and ragweed.
- **Site 7** includes sections of three pipelines adjacent to an existing roadway. Work at this site consists of repairing or replacing pipeline supports, painting, and roadway repair. Vegetation on the road side of the pipelines is primarily ruderal, while the other side is primarily native coyote bush, arroyo willow, cottonwood, and a sycamore. The site is likely used by nesting birds, possibly by song sparrow, California towhee, and warbling vireo, all of which have been observed foraging in the trees.
- **Site 8** includes three pipelines crossing Goleta Slough on concrete piers. Work would consist of repairing pipeline supports and painting.
- **Sites 9 and 10** are at a well site that is surrounded by a 20-foot wide area of road base material. Work would include general maintenance, painting, and surface repair. There is no vegetation within 10 feet of the well site and only weedy species beyond the area covered by the road base material.
- **Site 12** is an area of road between Sites 9 and 10 and Sites 13 and 14. It contains electrical facilities. Work would consist of road surface repair. Portions of the site support wetland vegetation, including red willow and cattail, as well as a mix of upland native and not-native, weedy species.

- **Site 14** includes a culverted road crossing of a drainage ditch. Both ends of the existing culvert have been delineated as wetlands, with vegetation including red willow, cattail, willow herb, and stinging nettle, with nearby stands of eucalyptus. The site is adjacent to a cliff used by nesting cliff swallows and a eucalyptus grove containing a great blue heron rookery that is also used for nesting by cormorants and great egrets. The site likely provides nesting habitat for several other species observed at the site, including Pacific slope flycatcher, Bullock's oriole, Black-headed grosbeak, lesser goldfinch, and others.
- **Site 16** contains two above-ground pipelines. Work would consist of pipeline maintenance, repairing pipeline supports, and painting. The eastern end of the site supports wetland and riparian vegetation, including arroyo willow, alkali weed, rye grass, brass buttons, and pickleweed, and includes an area of salt pan, while the western end is primarily non-native, weedy species.
- **Sites 17 and 18** contain two above-ground pipelines, sections of which have been overgrown by vegetation. Work in this area would include pipeline maintenance, repairing pipeline supports, and painting. The east end of the sites consists of wetlands that support cattails, bulrushes, curly dock, cocklebur, tamarisk, and sedge, while the western end is largely ruderal with some native vegetation, such as coyote bush.
- **Site 19** is a well site surrounded by a 10- to 20-foot wide area of road base material. Work would include equipment maintenance, repairing supports, painting, and surface repair. There is no vegetation within the road base material, though there are areas of riparian vegetation – e.g., arroyo willow – in the surrounding area.
- **Site 20** includes a culverted road crossing. Work would include clearing debris from the upstream ends of two culverts to accommodate storm flows. Areas immediately at the culvert ends contain non-native species and are not considered wetlands, though the vegetation changes quickly (i.e., within two to four feet) to riparian vegetation, including arroyo willow. The willows likely provide nesting habitat, as several bird species were observed, including spotted towhee, California towhee, and hooded oriole.
- **Site 21** contains a culverted road crossing of a small swale. Work would consist of road surface repair and clearing the culvert of accumulated debris. Vegetation at the site is limited to weedy, non-native species.
- **Site 22** contains a culverted road crossing, with the culvert largely covered by debris on either side. Work would include road surface repair and clearing accumulated debris from the culvert. Vegetation includes weedy species and nearby eucalyptus trees.

Project Mitigation: SCG has incorporated into its project a number of mitigation measures meant to avoid or reduce potential impacts to coastal resources. It included as part of its project description several of the conditions required in the CDP issued by Santa Barbara County (CDP #08CDH-00000-00038) for elements of the project within the County's jurisdiction. Those conditions, provided in Section 4.4.1 below, include timing restrictions, required surveys for nesting birds, various best management practices to avoid and minimize water quality impacts, and cultural resources provisions. The project is additionally subject to conditions of approval by the California Department of Fish and Game (CDFG), which are provided in Exhibit 4. Several of the Special Conditions herein are based on the County or CDFG conditions as applied to relevant Coastal Act provisions and are more specifically described in relevant sections of the Findings below.

4.2 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. In late 2011, SCG applied for a CDP from Santa Barbara County for the proposed project. During the County's review, it determined that some parts of the project – i.e., the activities described and reviewed herein – were within the Commission's jurisdiction. On October 3, 2011, the County issued a CDP with conditions of approval for those activities within its jurisdiction. SCG then submitted a CDP application for the portion of the project 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....

The proposed repair and maintenance activities will not add to or enlarge the subject pipelines. As noted above, 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.

Vegetation management and pipeline repair and maintenance can cause adverse impacts to coastal resources unless done with appropriate mitigation measures. For this proposed project, some of the activities would occur in or near ESHA and coastal waters, in an area with known archaeological resources, and near an area used for public access to the shoreline. These coastal resources could be adversely affected due to the project's grading, use of heavy equipment, and use of potentially hazardous materials – e.g., paint, herbicides, etc. As discussed in Section 4.1 above, SCG has incorporated into its project description a number of mitigation measures to avoid and minimize potential impacts, such as timing limitations, best management practices to prevent water pollution, and cultural resources monitoring. While these measures are appropriate and necessary to reduce potential coastal resource impacts, the Commission finds that additional measures are needed to avoid or minimize potential project impacts on sensitive species and habitat areas, water quality, wetlands, and archaeological resources, and to ensure that the development is consistent with applicable Coastal Act policies. The conditions required to meet these standards are discussed in the following Findings. Therefore, as discussed in these Findings, the Commission finds that the proposed project as conditioned is consistent with all applicable Chapter 3 policies of the Coastal Act.

4.3 OTHER PERMITS AND APPROVALS

The project is subject to other permits and approvals, including:

- Coastal development permit from Santa Barbara County – issued October 3, 2011.
- Stream Alteration Agreement from California Department of Fish and Game – Application No. 1600-2011-0157-R5, approved October 10, 2011.

4.4 CONFORMITY TO APPLICABLE COASTAL ACT POLICIES

4.4.1 Environmentally Sensitive Habitat Areas (ESHA)

Coastal Act Section 30240 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.

Coastal Act Section 30107.5:

“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. Many of the project sites consist of areas of interspersed ESHA, non-ESHA, and wetlands, and many of the proposed activities would occur within more than one of these types of areas – for example, within native vegetation along a road as well as within the roadway itself. 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. The range of project activities – excavation, vegetation removal, equipment repair, painting, etc. – could result in both direct and indirect, “spillover” effects to any of these types of areas or habitats. Because the habitat values associated with ESHA are so integrated within the sites, and to ensure impacts to those values are avoided to the extent feasible and otherwise minimized, it is appropriate to apply the same protective measures to all the proposed project activities.²

MITIGATION MEASURES AND SPECIAL CONDITIONS FOR PROPOSED ACTIVITIES

SCG has incorporated into its project description a number of the measures required by the CDP issued by Santa Barbara County for those activities within its jurisdiction. Those measures include the following:

- *Vegetation clearing, spraying, cutting, and removal shall occur during the non-breeding season (September 1st to February 14th) for local birds.*
- *If vegetation clearing, spraying, cutting or removal is required during the breeding season (February 15th to August 31st), then a qualified wildlife biologist shall conduct a survey for nesting birds in the maintenance area. If nesting is occurring, a biological monitor shall be present during removal of vegetation to make sure the nesting birds are not disturbed. Active nests observed in the vicinity of the work areas shall be protected, and maintenance activities within a distance determined by the qualified wildlife biologist shall be delayed until the fledglings have left the nest.*
- *Maintaining culverts, including clearing of debris from culvert ends, shall be conducted during the dry season (May 31st to September 1st). The works shall be with hand tools to the extent feasible. If equipment is needed, it shall work from the adjacent road surface and not enter the drainage.*
- *During scraping, sanding, and painting of above-ground pipelines over land, drop cloths will be used under the pipes. All scrapings and debris from the pipes will be collected and properly disposed. Drop cloths will not be left covering native plants for more than 24 hours.*

² Note: These Findings do not evaluate the proposed project’s consistency with Coastal Act Section 30233, which addresses the “diking, filling, or dredging” of wetlands. The proposed project activities within wetland areas consist largely of vegetation cutting and equipment repair and maintenance, and do not constitute diking, filling, or dredging.

Additionally, most sites are accessible from existing roadways, and SCG will reduce potential disturbance to ESHA by using those roadways for access, equipment operation, and staging. SCG's project activities are also subject to the approval provided by the California Department of Fish and Game, which included a number of measures meant to protect ESHA, water quality, wildlife, and other coastal resources (see Exhibit 4 – CDFG Conditions of Approval). Along with these project measures and required conditions, however, additional Special Conditions are necessary to ensure conformity with Coastal Act provisions related to ESHA.

Best Management Practices and project timing to avoid/reduce ESHA impacts: SCG proposes to conduct activities needed to maintain culverts only during the dry season (between May 31 and September 1). SCG has also proposed conducting the activities outside of bird breeding and nesting season (February 15 to August 31), to the extent feasible. For any work during that season, SCG would have a qualified biologist conduct a nesting bird survey. During activities near any identified nests, SCG would have the biologist present to ensure activities occur at a distance sufficient to not disturb nesting birds, and to maintain that distance until any fledglings have left the nest. Activities within that distance would be delayed until after fledging. CDFG has additionally required, for activities proposed between March 1 and December 1 of any year, that nesting surveys be conducted at least every seven days for eight weeks prior to the activities, and that project activities not occur within 300 feet of any active nests (500 feet for raptors) until after the fledglings have left the area. If any listed threatened or endangered species are observed within 500 feet of a work area, CDFG further prohibits activities from occurring until SGC prepares a plan to ensure these species are not disturbed during project activities and that plan is approved by CDFG. To further reduce potential impacts to sensitive bird species, **Special Condition 1** allows SCG to conduct activities during the February 15 to December 1 period only when needed due to federal requirements, and that those required activities be conducted as late in the season as possible.

In addition, **Special Condition 2** establishes minimum qualifications for the biologist(s) and identifies specific activities for the biologist(s) to implement as part of the project. These include conducting nesting surveys, identifying sensitive resources – i.e., areas of native vegetation, wetlands, and nest sites – to be avoided, conducting worker training about how to avoid adversely affecting these resources, conducting monitoring, reporting, etc.

Excavation: SCG has included in its project several measures to minimize the effects of its excavation work. All excavation will be implemented using the company's Excavation, Shoring, and Safety Standards, and all involved workers will have the required Operational Qualifications certifications required to work around high-pressure pipelines. SCG notes that there are no known or expected soil contaminants at the excavation sites.

Vegetation clearing and maintenance: Federal pipeline safety provisions require SCG to maintain a ten-foot buffer around pipelines, electrical equipment, and security fences, and auxiliary structures. As noted in Section 4.1 above, several of the project's activity sites include ESHA. To meet its federal requirements and to minimize adverse effects on ESHA, SCG has proposed to conduct vegetation clearing and maintenance activities in the following manner:

- SCG will use hand tools, such as motorized weed whackers, saws, pruners, etc., to cut vegetation. No native vegetation greater than 6-inches DBH (diameter at breast height) would be removed without prior approval from CDFG. Cut material would be left on site, chipped using a mechanical chipper, or hauled away for disposal.
- SCG proposes to control non-native vegetation using herbicide mixed with surfactant and colorant sprayed from backpack sprayers or a truck-mounted sprayer. These compounds will not be used on native vegetation. SCG proposes to use the following:
 - **Herbicide:** Monsanto “AquaMaster” is an herbicide approved for use in and near waterbodies. Its “Material Safety Data Sheet (MSDS)” describes it as “practically non-toxic” to tested terrestrial and aquatic organisms.
 - **Surfactant:** Target “Pro-Spreader Activator” or Agri-Dex, both of which are surfactants that when mixed with herbicides help them spread and penetrate into vegetation.
 - Target “Pro-Spreader Activator” has been identified as toxic to some organisms at relatively low concentrations; however, it has been approved for terrestrial and aquatic use. Toxicity levels identified in its MSDS include an LC₅₀ of 3.3. mg/l for rainbow trout (*Oncorhynchus mykiss*), of 6.0 mg/l for bluegill (*Lepomis macrochirus*), and 7.3 mg/l for *Daphnia magna*.³ One of its active ingredients has been linked to estrogenic effects in wildlife, including aquatic species, such as fish and amphibians.⁴ Studies also suggest it may cause ecotoxicological effects when combined with herbicides and may be an endocrine disruptor.⁵ The disposal requirements on its MSDS state: “Do not contaminate lakes, streams, ponds, estuaries, oceans or other waters by discharge of waste effluents or equipment washwaters.”
 - Agri-Dex is a non-ionic surfactant approved for both terrestrial and aquatic use while being far less toxic to test organisms. It has an LC₅₀ of greater than 1000 mg/L for rainbow trout, bluegill, and *Daphnia magna*.⁶ CDFG has specified that only this non-ionic surfactant may be used as part of the project.
 - **Colorant:** Bullseye colorant is added to herbicides to increase the visibility of sprayed areas. It has a relatively low toxicity to tested animals (e.g., an LD₅₀ of greater than 5000 mg/kg in rats, and a 48-hour acute aquatic toxicity on *Ceriodaphnia dubia* of 3574

³ LC₅₀ is a standard measure of toxicity that identifies the concentration of a substance that will kill 50% of test organisms in a given amount of time.

⁴ See Bakke, David, *Analysis of Issues Surrounding the Use of Spray Adjuvants With Herbicides*, United States Forest Service, Pacific Southwest Region, January 2007.

⁵ See Monheit, Susan, J. Robert Leavitt, and Joel Trumbo, *The Ecotoxicology of Surfactants Used with Glyphosate Based Herbicides*, in California Interagency Noxious Weed Coordinating Committee “Noxious Time” Newsletter, Volume 6, Number 2, Summer 2004.

⁶ See Diamond, Gary, and Patrick Durkin, *Effects of Surfactants on the Toxicity of Glyphosate, with Specific Reference to RODEO*, submitted to U.S. Department of Agriculture Animal and Plant Health Inspection Service, February 6, 1997.

mg/L). Under OECD testing, it is considered inherently biodegradable. However, the MSDS for Bullseye colorant states: “Do not allow material to enter soil or surface water,” and “Avoid washing material into sewer systems without proper treatment and authorization by the treatment facility management.”

Those areas of native vegetation subject to these vegetation clearing and maintenance activities will experience reduced habitat values due to the loss of cover, feeding areas, nest sites, and other similar functions. The timing restrictions of **Special Condition 1** will help limit the reduction of these habitat values by restricting vegetation clearing in areas with active nests; however, those timing restrictions will provide only temporary limits on clearing. To address the loss of native vegetation associated with the project, **Special Condition 3** requires SCG to provide a Restoration Plan for Executive Director review and approval that identifies the total square footage of native vegetation that is cleared, trimmed, or otherwise maintained each year as part of the project and to then remove from an equal-sized area invasive or non-native vegetation and replant with native vegetation. **Special Condition 3** also requires that Plan to specify the area(s) proposed for replanting, habitat types and native plants to be used, and requires the areas meet a performance standard of at least 80% native plant coverage and total vegetation. Additionally, and to further avoid and reduce impacts to ESHA, **Special Condition 4** clarifies that spraying not be done in areas of native vegetation and that those areas be flagged in advance of any spraying activities.

Painting: During scraping, sanding, and painting, SCG will use drop cloths under all above-ground pipelines and will collect all scrapings and debris to be disposed of properly. Drop cloths will not be left covering native plants for more than 24 hours. In addition, and to reduce the potential for paint overspray to affect native vegetation, **Special Condition 5** requires the project biologist(s) to mark all areas of native vegetation prior to any painting activities.

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

4.4.2 Water Quality Protection and Spill Prevention and Response

Coastal Act Section 30230 states:

Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

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.

These Coastal Act policies generally require that development protect water quality and marine life and not result in adverse effects to those coastal resources. They also require protection against spills of hazardous substances and effective management of spills should they occur.

As noted above, some of the project activities will occur in or near the coastal waters of Goleta Slough or in and near drainageways that enter the Slough. During the activities for hydrostatic testing preparation, the pipelines will remain in service. 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. The Plan specifies pipeline isolation procedures as well as equipment and materials that will be on site during the activities to contain any spills. Additionally, all pipeline work is to be supervised by a SCG Operations Qualified Construction Welding Inspector, and all workers will have the required safety and operations qualifications for working on and near high pressure pipeline systems. Further, SCG's Pipeline Integrity Inspection Team will conduct daily safety meetings before starting any construction work.

SCG has also incorporated several Best Management Practices into the project, including installing silt fences, fiber rolls, sand bag barriers, storm drain inlet protection, and other similar measures. For work in drainageways, such as that associated with culvert repair and clearing, the CDFG approval allows SCG to work in stream courses only during the dry period of the year from May 1 to December 1 and only where there is no measurable flow and no measurable rain forecast for at least 72 hours. Additionally, several of the **Special Conditions** described above for protection of ESHA will reduce potential adverse water quality effects. For example, **Special Condition 4** requires that chemical vegetation control within 50 feet of open water or wetlands be done using only the stated herbicide and only the lower-toxicity rated surfactant (i.e., Agri-Dex), which are approved for aquatic use. Spraying in those areas is not to include colorant. Similarly, to prevent paint overspray from reaching coastal waters, **Special Condition 5** requires SBC to paint by hand only (i.e., no paint sprayers) within 50 feet of coastal waters or wetlands.

Regarding spills, and as noted above, the project activities are within the La Goleta Facility and subject to the Facility's approved spill prevention and response plan. To provide further protection against spills related to project activities and to ensure the necessary response to any spills that may occur, **Special Condition 6** additionally requires SCG to implement specific spill prevention and response measures for the project, including daily vehicle and equipment inspections for leaks, identification of all materials that will be immediately available to respond to project-related spills, necessary telephone contacts for spill notifications, and others.

Conclusion: For the reasons described above, the Commission finds that the proposed project, as conditioned, will be carried out in a manner that is protective of marine biological resources and water quality and is therefore consistent with Coastal Act Sections 30230-30232.

4.4.3 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.

County of Santa Barbara Land Use Plan:

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

Policy 10-1: *All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.*

Policy 10-2: *When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.*

Policy 10-3: *When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.*

Policy 10-4: *Off-road vehicle use, unauthorized collecting of artifacts, and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.*

Policy 10-5: *Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.*

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 initial project-related survey conducted on September 7, 2011 indicated that several archaeological sites are near, but outside of areas that would be excavated during project activities.

Those portions of the project within the County's jurisdiction are subject to the Santa Barbara County Archaeological Guidelines. These Guidelines establish requirements for monitoring and phased investigations to determine the presence and significance of any encounters with archaeological remains. SCG has included as part of its project description within the Commission's jurisdiction two mitigation measures required by the County meant to address the possibility that project activities will encounter cultural resources:

CulRes-07 – Cultural Resource Monitor: *The Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D approved archaeologist and a Native American consultant in compliance with the provisions of the County Archaeological Guidelines.*

- ***Timing:*** *Prior to issuance of Land Use Clearance, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract.*
- ***Monitoring:*** *The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and preconstruction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check field work.*

CulRes-09 – Stop Work at Encounter: *The Owner/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 Owner/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 Owner/Applicant.*

- ***Plan Requirements:*** *This condition shall be printed on all building and grading plans.*
- ***Monitoring:*** *P&D permit processing planner shall check plans prior to Issuance of a Coastal Development Permit and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.*

These measures require the presence of a County-approved archaeologist and a Native American consultant during all earth disturbing activities. They also require SCG to provide documentation of a contract that ensures those individuals are present during those activities. These individuals will provide training to project personnel, monitor for any archaeological finds, and determine the significance of those finds, pursuant to the County's Guidelines.

Special Condition 7 clarifies that relevant parts of those measures are required as part of Coastal Act conformity. It requires, for example, that the above-referenced individuals be present during earth-disturbing activities, that SCG provide documentation, for Executive Director review and approval, that describes the roles of these individuals, and that activities be consistent with the County's Guidelines.

Conclusion: For the reasons described above, the Commission finds that the proposed project, as conditioned, 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.

4.4.4 Public Access and Recreation

Coastal Act Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30211 states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act Section 30212(a) states:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

The project site is within the Goleta Slough area, which provides several forms of public access and recreation, such as boating, birdwatching, wildlife viewing, etc. Goleta County Beach Park, which is the adjacent property to the southwest of the project site, provides active and passive recreational opportunities such as beachgoing and surfing. However, despite the proximity of the proposed activities to these areas, they are expected to cause only minimal, if any, adverse effects on recreation or public access to the shoreline.

All project activities, including staging of equipment and project staff parking, will take place on the La Goleta Facility site, so the project is not expected to adversely affect nearby parking or accessways used by the public for access to the shoreline. Any traffic interruptions that might occur along public access roads near the facility are expected to be minor and temporary.

Because the project would occur adjacent to the public access and recreational amenities of Goleta County Beach Park, it could result in minor adverse effects due to the sight and sound of construction or test activities. For example, the presence of a crane up to 40 feet high during part of the project activities could cause minor visual impacts within Goleta Slough or along the nearby stretch of public beach. However, the site already includes industrial equipment in the form of structures and pipelines associated with the natural gas storage and processing facilities, and the drill rig and other project-related equipment are expected to fit within the existing visual context. Additionally, noise from the equipment is not likely to affect public access or recreation, as the machinery will be about one thousand feet from the public beach area. Any potential noise effects would be further limited by the County's timing restrictions that allow work to occur only between 7 a.m. and 4 p.m. on non-holiday weekdays. Further, although the project would be located between the first public road and the sea, public access at the site would be inconsistent with public safety due to the industrial nature of the existing infrastructure on site. Additionally, adequate access exists nearby at the adjacent County Beach Park.

Conclusion: For the reasons described above, the Commission finds that the proposed project, as conditioned, will be carried out in a manner that is protective of public access to the shoreline and coastal recreation and therefore consistent with relevant Coastal Act policies.

5.0 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.

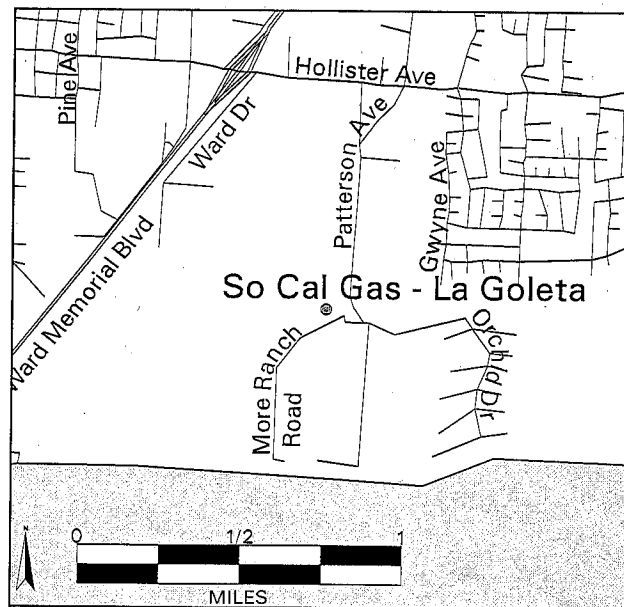
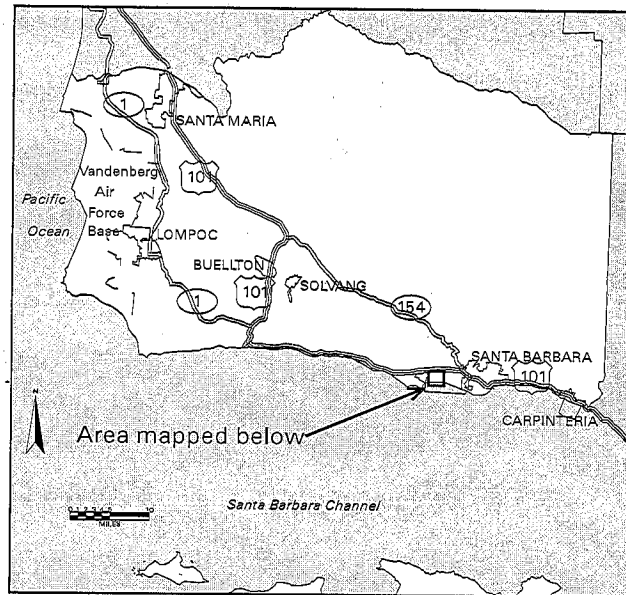
APPENDIX A: SUBSTANTIVE FILE DOCUMENTS

County of Santa Barbara, *Draft Environmental Impact Report for Southern California Gas Company La Goleta Storage Field Enhancement Project* (State Clearinghouse No. 2010021069), May 18, 2011.

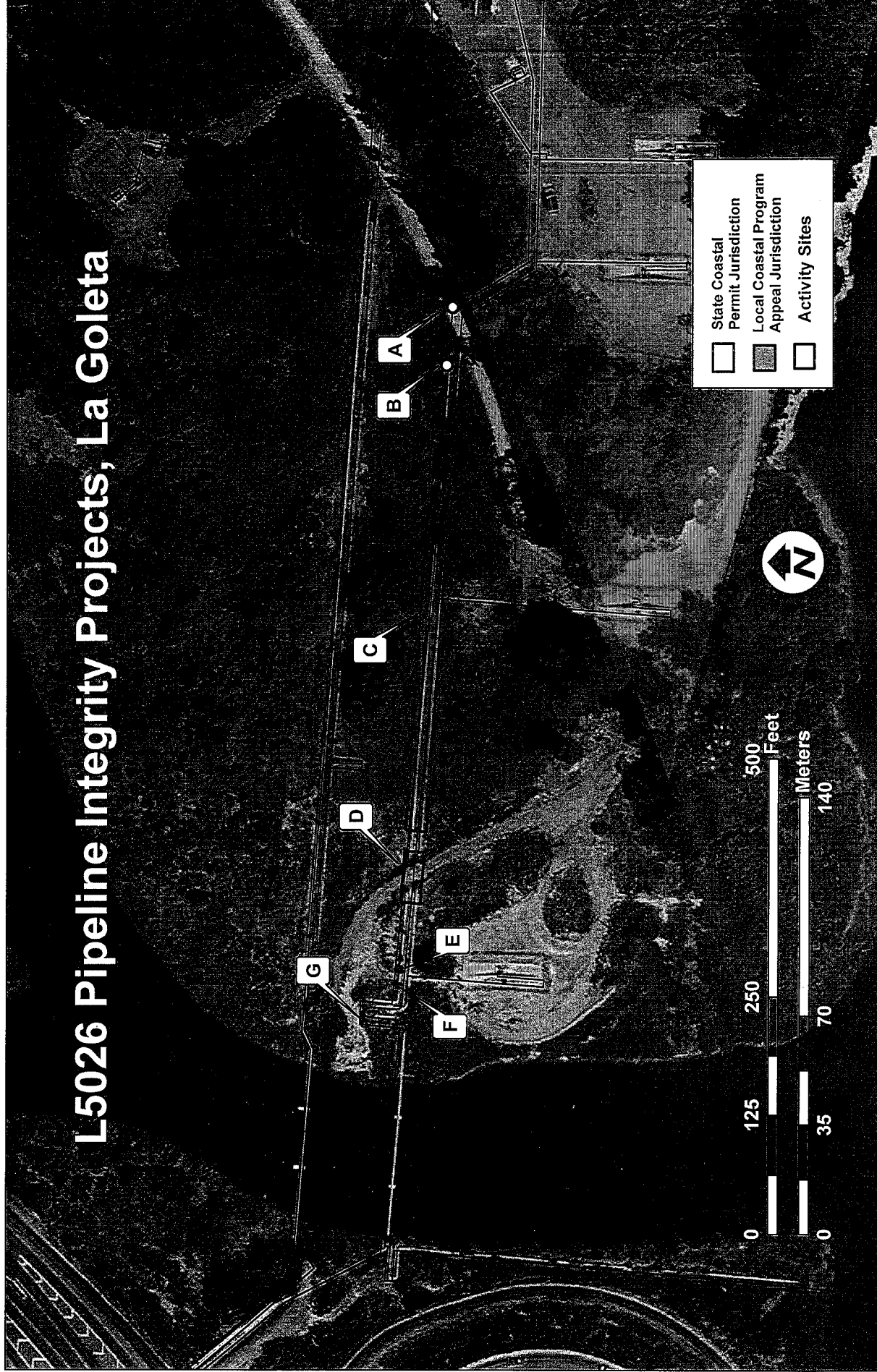
Southern California Gas Company, Coastal Development Permit application and accompanying documents, initially submitted December 2, 2011.

Figure 1.1 Location Map for SoCalGas La Goleta facility

Southern California Gas - La Goleta



L5026 Pipeline Integrity Projects, La Goleta



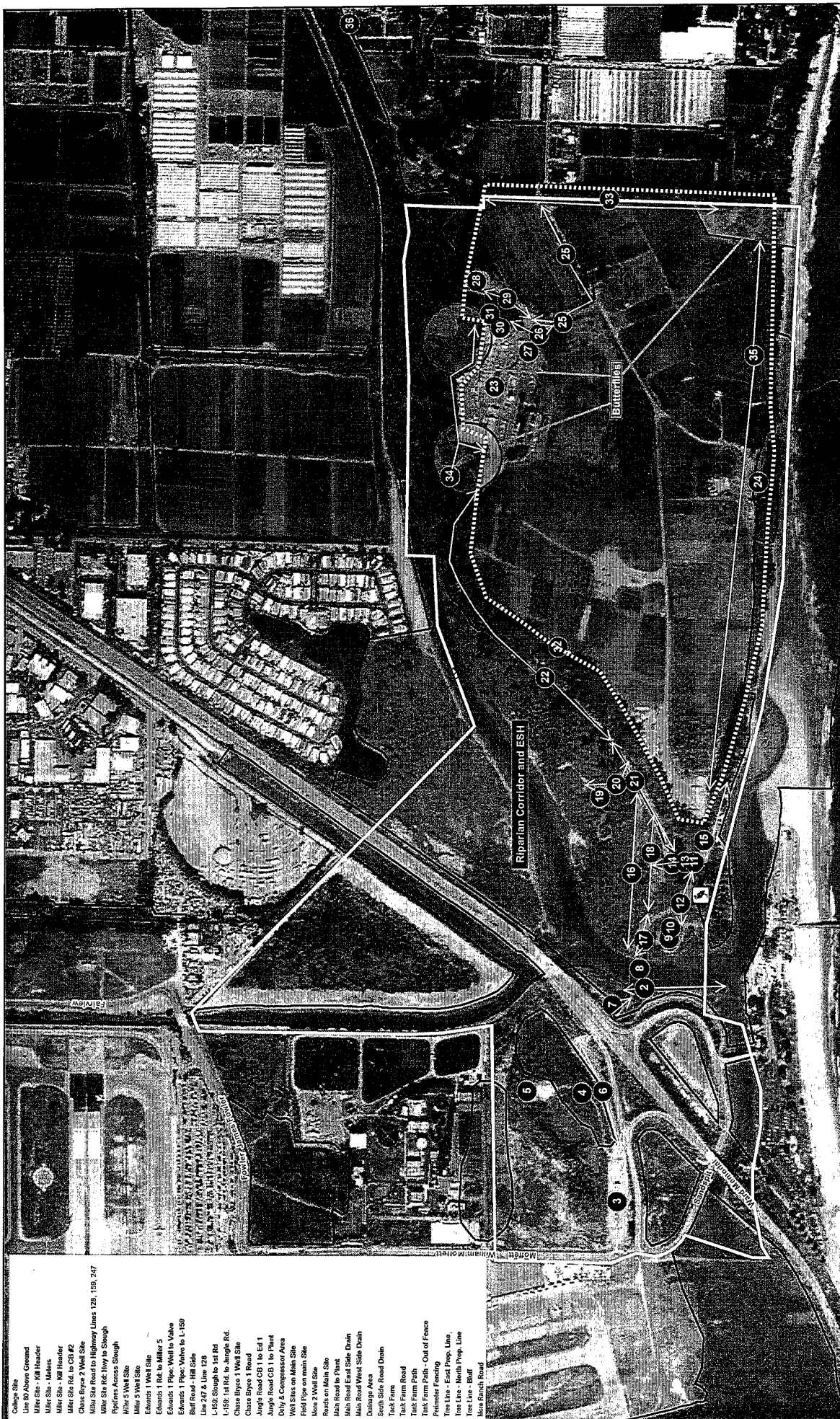


Figure A-1 Location and Extent Map

Disclaimer: Southern California Gas Company (SCG) is not responsible for the accuracy of the information contained herein. SCG disclaims all warranties, expressed 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 its use.



Geographic Services - GIS
Southern California Gas Co.
Date Created: August 26, 2010
Author: Jonathan Rubin
*Map, Fieldwork, and Aerial
Data

Attachment B

Vegetation and Pipeline Maintenance Plan

Project Description

1. Project Location

The La Goleta Facility address is 1171 More Ranch Road Goleta, California. The facility is located on six parcels including Assessor's Parcel Numbers (APN): 071-021-001, 071-200-001, 071-200-008, 071-200-011, 071-200-013, 071-200-023, 071-200-025. The facility lies within unincorporated Santa Barbara County within the Goleta United States Geological Survey (USGS) 7.5 Minute Quadrangle, Township 4N, Range 28W, Section 20. The site is entirely within the Coastal Zone. The majority of the facility is adjacent to the Pacific Ocean and east of the Goleta Slough.

2. Development and Use

2.1. LAND USE

The La Goleta Facility is an underground public utility storage facility which is zoned as "utility" and occurs within the "Goleta Community Plan Coastal Zone (Article II) Urban" policy area. Some areas of the property are leased for agricultural uses. These areas would not be affected by proposed project activities; nor would project activities convert prime agricultural to non-agricultural land or impair the agricultural productivity of prime agricultural land.

The Site has been used for natural gas field operations and gas storage since 1921. Pacific

Lighting Corp. (predecessor to SCG) acquired the field and began using it for gas storage in 1941. At present, the facility is solely owned and operated by SCG.

Surrounding land uses include the Santa Barbara Municipal Airport to the west; open space, residential, agricultural, and industrial to the north; the Pacific Ocean and Goleta Beach County Park to the south; and agricultural to the east.

2.2. EXISTING STRUCTURES/IMPROVEMENTS

The existing onsite facilities/structures include office buildings and infrastructure associated with a natural gas storage field including several gas injection and withdrawal wells, a natural gas compressor station, a dehydration unit, ancillary units, and a large underground natural gas storage reservoir, where natural gas is injected and stored during periods of low demand. No existing structures would be demolished or removed, no new structures or facilities are proposed, and no grading would occur.

2.3. PROPOSED PROJECT ACTIVITIES

Work to be performed by Southern California Gas Company would include inspection and maintenance activities associated with existing structures and facilities, including vegetation trimming/clearing for access and safety as well as the repair of structures (supports, valves, etc.). These activities are to be done to comply with California Public Utility Commission and Southern California Gas Company operational requirements. No new pipeline facilities are proposed. Specifically, inspection and maintenance activities include the following:

1. Trim/cut and/or spray trees, brush and weeds the length of the pipeline, fence, access roads:

This work would involve crews on foot using motorized weed whackers or saws to clear vegetation from within ten feet of the pipeline and ten feet on each line of fencing and gates. Cut native vegetation and spray non-native vegetation to maintain ten-foot wide path from piping and fencing. Herbicide is Monsanto "AquaMaster" with Target "Pro-Spreader Activator" and "Bullseye" colorant added (to indicate sprayed areas). Colorant fades in a few days. Cut vegetation would be left on site or hauled off for disposal. This work is routine and would be conducted several times per year. 10-foot vegetation clearing along both sides of fence lines;

2. Trim/cut and/or spray trees/vegetation to keep clearance around the field electrical system:

Native trees and vegetation would be cut to provide clearance within ten feet of electrical footprint for fire and safety buffer. The work would involve crews on foot using motorized weed whackers and/or saws to clear trees and vegetation, and use of a bucket truck to trim vegetation near overhead power lines. Cut vegetation would be left on site or hauled off for disposal. A small flatbed truck would be needed to drive to worksite if cuttings are hauled off. Cuttings may also be chipped, in which case a chipper and box truck would drive to the worksite. Spraying of non-native vegetation would involve people on foot, using back pack sprayers or a truck mounted sprayer with hose. Vegetation would be sprayed in order to maintain ten feet of clearance from electrical footprint. Truck would need to drive to the worksite. Herbicide is Monsanto "AquaMaster" with Target "Pro-Spreader Activator" and "Bullseye" colorant added (to indicate sprayed areas). Colorant fades in a few days. This work is routine and would be conducted several times per year.

3. Trim/cut and/or spray trees/vegetation to keep clearance around culverts:

Cut native vegetation and spray non-native vegetation to maintain clearance of ten feet from edge of roadway and drainage ditches. This work would involve vehicles and crews on foot using motorized weed whackers and/or saws. Cut vegetation would be left on site or hauled off for disposal. A small flatbed

truck would be needed to drive to worksite if cuttings are hauled off. Cuttings may also be chipped, in which case a chipper and box truck would drive to the worksite. Spraying of non-native vegetation would involve people on foot, using back pack sprayers or a truck mounted sprayer with hose. Herbicide is Monsanto "AquaMaster" with Target "Pro-Spreader Activator" and "Bullseye" colorant added (to indicate sprayed areas). Colorant fades in a few days. This work is routine and would be conducted several times per year.

4. General pipeline maintenance:

This work could involve crews and vehicles conducting a riding or walking patrol/inspection along the above ground pipelines and valves. Mechanical maintenance could include vehicles and equipment adjacent to pipelines to service, repair, install, remove, or replace pipelines valves and/or other appurtenances. This work is routine and would be conducted once per month

5. Painting existing pipelines and supports:

This work would involve the use of small hand held power or non-power tools to prep pipe (i.e., scrape, sanding, etc.). Hand held power tools would be either pneumatic or electric, requiring either a small air compressor and/or a generator. Painting would be roller, brush, or spray. Compressors and generators would remain on the existing roadway. If a paint sprayer is used, the sprayer would have to be placed off the existing roadway and close to the piping/supports. Paints would be either water or oil based and compliant with APCD air quality rules. Current top coat color scheme is "Suntan Beige". This work would be performed every few years and is routine.

6. Repair pipe support:

Pipeline safety and DOT regulations require that jurisdictional piping be properly supported. Repair of supports would involve a welding truck, a generator, an air compressor, a 10-20 ton boom truck, backhoe(used to help lift the pipeline for access to pipe support), and smaller support vehicles (pick up, flatbed truck) plus the typical compliment of construction hand or small power tools. Most vehicles would stay on the existing roadway. Supports are repaired if the clamps, rollers, bolts are damaged. This is routine maintenance work that is performed on an infrequent basis.

7. Repair damaged roadways:

This work (filling pot holes with either gravel or asphalt) may involve vehicles and crews with hand tools and/or the use of a bobcat loader (to move and compact the roadway fil). This is routine maintenance work that is performed on an infrequent basis on existing paved and gravel roads only.

During vegetation maintenance activities, SoCalGas would follow Section 12 Avoidance measures No. 1 thru 4 to reduce impacts to biological resources that may occur during maintenance activities in Environmentally Sensitive Habitat Areas within our facility.

During some pipeline maintenance work, SoCalGas would follow Section 12 Avoidance measures No. 1 thru 5 to reduce impacts to biological resources that may occur during maintenance activities in Environmentally Sensitive Habitat Areas within our facility.

Here is a list of the sites that will have maintenance activities occur as shown in Figure A-1

Site 2 Line 80 Above Ground

Site 3 Miller Site - Kill Header, Miller Site - Meters, Miller Site - Kill Header

Site 4 Miller Site Rd. to CB #2

Site 5 Chase Bryce 2 Well Site

Site 6 Miller Site Road to Highway Lines 128, 159, 247

Site 7 Miller Site Rd: Hwy to Slough

Site 8 Pipelines Across Slough

Site 9 Miller 5 Well Site

Site 10 Miller 5 Well Site

Site 11 Edwards 1 Well Site

Site 12 Edwards 1 Rd: to Miller 5

Site 13 Edwards 1 Pipe: Well to Valve

Site 14 Edwards 1 Pipe: Valve to L-159

Site 15 Bluff Road - Hill Side

Site 16 Line 247 & Line 128

Site 17 L-159: Slough to 1st Rd

Site 18 L-159: 1st Rd. to Jungle Rd.

Site 19 Chase Bryce 1 Well Site

Site 20 Chase Bryce 1 Road

Site 21 Jungle Road CB 1 to Ed 1

Site 22 Jungle Road CB 1 to Plant

Site 23 Dehy & Compressor Area, Well Sites on Main Site, Field Pipe on main Site

Site 24 More 2 Well Site

Site 25 Roads on Main Site, Main Road to Plant, Main Road East Side Drain, Main Road West Side Drain

Site 26 Drainage Area

Site 27 South Side Road Drain

Site 28 Tank Farm

Site 29 Tank Farm Road

Site 30 Tank Farm Path

Site 31 Tank Farm Path - Out of Fence

Site 32 Perimeter Fencing

Site 33 Tree Line - East Prop. Line

Site 34 Tree Line - North Prop. Line

Site 35 Tree Line - Bluff

Site 36 More Ranch Road

Table A-1 provides an overview of maintenance activities that would be performed at the particular maintenance sites.

Sites	Maintenance Activities						
	Vegetation Maintenance			Pipeline Maintenance			Miscellaneous Maintenance
	Trim/cut and/or spray trees, brush and weeds the length of the pipeline, fence, access roads:	Trim/cut and/or spray trees/vegetation to keep clearance around the field electrical system:	Trim/cut and/or spray trees/vegetation to keep clearance around culverts:	General pipeline maintenance:	Painting existing pipelines and supports:	Repair pipe support:	
2	X			X	X	X	
3	X			X	X	X	X
4	X						X
5	X			X	X	X	X
6	X			X	X	X	X
7	X			X	X	X	X
8				X	X	X	
9	X			X	X	X	X
10	X	X		X	X		X
11	X			X	X		X
12	X	X					X
13	X	X		X	X	X	
14	X	X		X	X	X	
15	X						X
16	X			X	X	X	
17	X			X	X	X	X
18	X	X		X	X	X	
19	X			X	X	X	X
20	X	X					X

Sites	Maintenance Activities							Miscellaneous Maintenance
	Vegetation Maintenance			Pipeline Maintenance				
	Trim/cut and/or spray trees, brush and weeds the length of the pipeline, fence, access roads:	Trim/cut and/or spray trees/vegetation to keep clearance around the field electrical system:	Trim/cut and/or spray trees/vegetation to keep clearance around culverts:	General pipeline maintenance:	Painting existing pipelines and supports:	Repair pipe support:		
	21	X	X	X				X
	22	X						X
	23	X	X		X		X	X
	24	X			X			X
	25	X	X	X				X
	26			X				
	27	X		X				
	28	X	X		X			
	29	X						X
	30	X	X					X
	31	X						X
	32	X						
	33	X						
	34	X						
	35	X						
	36	X						X

3. Access

Existing access to the La Goleta Facility is provided by More Ranch Road, a paved street. Within the La Goleta Facility, private access roads, both paved and gravel provide access to the maintenance areas. Onsite personnel would conduct maintenance activities and would use existing roads to access the maintenance areas. Thus, no new access roads are proposed.

4. Project Equipment

Equipment associated with the inspection and maintenance activities include: flatbed and pickup trucks; motorized weed trimmers; motorized saws; backpack herbicide sprayers; truck-mounted herbicide sprayers; hand-held tools (power and manual); paint rollers, brushes, and sprayers; welding trucks; welding equipment; 10-20 ton boom trucks; bucket truck, backhoe(used to help lift the pipeline for access to pipe support), and bobcat.

5. Soils

Soils within the La Goleta Facility include: aquents, fill areas; aquepts; flooded; baywood loamy sand, 2 to 9 percent slopes; beaches; camarillo fine sandy loam; conception fine sandy loam, 2 to 9 percent slopes, eroded; conception fine sandy loam, 9 to 15 percent slopes, eroded; water; and xerorthents, cut and fill areas. A soil map for the La Goleta Facility is provided in Figure A-2.

6. Water Resources

6.1. WATER BODIES

There are several year round and seasonal water bodies located within the La Goleta Facility including Goleta Slough and four tributaries, Tecolotito Creek, Atascadero Creek, San Jose Creek, and San Pedro Creek. However, only the Goleta Slough would be directly affected by the proposed project activities. These activities would include vegetation management, culvert maintenance, access road maintenance, and pipeline painting and repair.

6.2. FLOODING

Portions of the facility are located within the Santa Barbara County's Flood Hazard zone. Additionally, there is evidence of prior flooding within portions of the site adjacent to Goleta Slough, Atascadero Creek, San Pedro Creek, and San Jose Creek. The specific years in which the flooding events occurred are unknown.

6.3. STORM WATER/DRAINAGE

Storm water runoff is conveyed from the site via sheet flow as well as existing culverts. The storm water exits the culverts and dissipates onsite. Drainage and flood control would be managed in accordance with existing practices and would not be altered by the proposed project. SCG will utilize some or all of the following structural and non-structural best management practices (BMPs) during project activities to prevent sediment from entering watercourses and

minimize impacts to water quality: silt fences, fiber rolls, gravel bag berms, sand bag barriers, storm drain inlet protection, tracking controls (rumple strips), and stockpile management.

7. Biological Resources

7.1 VEGETATION

Site maintenance activities would include trimming/cutting /removal of native and non-native vegetation (including willows, eucalyptus, castor bean, and other weedy species) along roads, pipelines, and fences at several areas as described in Section 2.3..

Four sensitive species (California Native Plant Society List 1B) were considered possible based on habitat requirements and characteristics of the project site: southern tarplant (*Centromadia parryi* spp. *australis*), Coulter's goldfields (*Lasthenia glabrata* spp. *coulteri*), Santa Barbara honeysuckle (*Lonicera subspicata* ssp. *subspicata*), and black-flowered figwort (*Scrophularia atrata*). Field surveys in 2008, however, found no sensitive plant species in the areas where maintenance would occur. No federally or state listed plant species are expected to occur in the maintenance areas.

Vegetation on the property includes areas of native plants (e.g., salt marsh, freshwater marsh, and willows), but most of the site is dominated by non-native species such as eucalyptus, castor bean, and weedy herbaceous species.

7.2 WILDLIFE

No federally or state listed (as threatened or endangered) wildlife species are known or expected to occur within the Project site. Several special status animal species, however, are known or have the potential to occur on or in the vicinity of the facility. Special status wildlife species (CDFG species of Special Concern) that could potentially be present at the Project site include white-tailed kite (*Elanus leucurus*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Dendroica petechia brewsteri*), and yellow-breasted chat (*Icteria virens*) could potentially occur in the Project site during periods of migration. A great-blue heron rookery site is located on the project site and is listed as sensitive by the California Department of Forestry and Fire Protection (CDF). Monarch butterflies (*Danaus plexippus*) are known to roost in some of the eucalyptus trees on the property.

A variety of common wildlife species are present on the facility property. These include birds, small to medium sized mammals, reptiles, and amphibians. Several species of fish and aquatic invertebrates inhabit Goleta Slough and its tributaries.

8. Noise

The existing noise environment at the facility includes noise from onsite vehicle traffic, office building, utility infrastructure and equipment, and associated maintenance activities. Additionally, offsite noise from the adjacent Santa Barbara Municipal Airport affects the facility's existing noise environment. No change to the existing noise environment would occur due to the proposed project.

9. Archaeological Resources

Cultural resource surveys have been conducted within the facility and archaeological resources are known to occur at several locations on the site. No ground disturbance would be required for the routine maintenance activities.

10. Public/Private Services

The project would not require a change in existing onsite services including water, sewage disposal, fire protection, and utilities. Additionally, no modifications to existing services-related infrastructure would occur as part of the project.

11. Agency Involvement

In addition to the Coastal Development Permit, the following permit that would be required for this project:

- California Department of Fish and Game Section 1600 Streambed Alteration Agreement.

12. Project Mitigation and/or Compensation Measures

The following is a list of avoidance measures to be used to reduce impacts to biological resources that may occur during maintenance activities in Environmentally Sensitive Habitat Areas within our facility.

1. Vegetation clearing, spraying, cutting, and removal shall occur during the non-breeding season (September 1st to February 14th) for local birds to avoid impacts to nesting success.
2. If vegetation clearing, spraying, cutting, and removal is required during the breeding season (February 15th through August 31st), then a qualified wildlife biologist shall conduct a survey for nesting birds in the maintenance area. If nesting is occurring, a biological monitor shall be present during removal of vegetation to make sure that the nesting birds are not disturbed. Active nests observed in the vicinity of the work areas shall be protected, and maintenance activities within a distance determined by the qualified wildlife biologist shall be delayed until the fledglings have left the nest.
3. Maintenance of culverts, including clearing of debris from culvert ends, shall be conducted during the dry season (*May 31st* through September 1st). The work shall be with hand tools to the extent feasible. If equipment is needed, it shall work from the adjacent road surface and not enter the drainage.
4. Trimming, pruning, and removal of trees identified as monarch butterfly roosting habitat shall be evaluated by a monarch biologist to ensure that the specific microhabitat preferred by the butterflies will be maintained. These maintenance activities shall occur during the summer months when monarchs are absent from the trees (April 1st through September 31st). Nesting bird surveys will be needed for work from April through August.

5. During scraping, sanding, and painting of above-ground pipelines over land, drop cloths will be used under the pipes. All scrapings and debris from the pipes will be collected and properly disposed. Drop cloths will not be left covering native plants for more than 24 hours.
6. During the two excavations of line 5026, which is at the intersection of mapped extent sites 18 and 21, we will have a County of Santa Barbara Planning & Development approved archaeologist and a Native American consultant onsite during excavation of the two sites.

EXHIBIT 4: CALIFORNIA DEPARTMENT OF FISH AND GAME CONDITIONS OF APPROVAL

BEST MANAGEMENT PRACTICES

The following best management practices would be implemented to minimize potential impacts to the aquatic resources:

- No native vegetation with a diameter at breast height (DBH) in excess of (6) inches shall be removed or damaged without prior consultation and approval of a Department representative.
- A qualified biological monitor, having the appropriate permits, shall be on site at least twice a week during operations and shall survey for species prior to construction. If any species are found in the path of construction, the monitor shall relocate the species to a safe location. Relocation areas shall be identified prior to the start of construction, and are subject to the Department's approval. If any species are found in the path of construction, the monitor shall relocate the species to a safe location.
- In areas of temporary disturbance, where vegetation must be removed, native trees and shrubs, with DBHs of 6 inches or less, shall be cut to ground level with hand operated power tools rather than by grading.
- Vegetation removed from the stream shall not be stockpiled in the stream bed or on its bank. The sites selected on which to push this material out of the stream should be selected in compliance with the other provisions of this Agreement. Where possible brush piles shall be left outside the channel in upland areas to provide wildlife habitat.
- No living native vegetation shall be removed from the channel, bed, or banks of the stream, except as otherwise provided for in this agreement.
- No equipment shall be operated or parked within the dripline of oaks. Protective fencing shall be placed outside the dripline of oaks to prevent compaction of the root zone.
- Any oaks, CA black walnuts and sycamores which are damaged/removed during construction operations shall be replaced in kind at a 10:1 ratio. Valley oaks shall be replaced in kind at a 15:1 ratio. Elderberry, cottonwood, and willows shall be replaced at 5:1.

REMOVING NON-NATIVE VEGETATION

- Giant Cane, if present, shall be cut to a height of 6 inches or less, and the stumps painted with an herbicide approved for aquatic use within 5 minutes of cutting. Herbicides shall be applied at least three times during the period from May 1 to October 1 to eradicate these plants. Where proposed methods for removing giant cane deviate from this procedure, the Operator shall present the alternate methods, in writing, to the Department for review and approval, prior to construction.
- Whenever possible, invasive species shall be removed by hand or by hand-operated power tools rather than by chemical means. Where control of non-native vegetation is required within the bed, bank, or channel of the stream, the use of herbicides is necessary, and there is a possibility that the herbicides could come into contact with water, the Operator shall employ only those herbicides, such as Rodeo/Aqua-Master (Glyphosate), which are approved for aquatic use. If surfactants are required, they shall be restricted to non-ionic chemicals, such as Agri-Dex, which are approved for aquatic use.
- The Operator shall apply any herbicides in accordance with state and federal law. No herbicides shall be used where Threatened or Endangered species occur. No herbicides shall be used when wind velocities are above 5 miles per hour.
- No herbicides shall be used on native vegetation unless specifically authorized, in writing, by the Department.
- Staging/storage areas for equipment and materials shall be located outside of the stream/lake.

PROJECT CONDITIONS

- The Operator shall only use unconcreted rock rip-rap.
- Bottoms of temporary culverts shall be placed at or below stream channel grade. Bottoms of permanent culverts shall be placed below stream channel grade deep enough so that sediments accumulate at the bottom to mimic a natural bottom. If any structure is cast in place, the area poured shall be completely bermed and isolated to contain all and any wet cement, even if water is not present. The pH of hot concrete may be as high as 13 which is toxic to wildlife.
- Storm drains lines/culverts shall be adequately sized to carry peak storm flows for the drainage to one outfall structure. The storm drain lines/culverts and the outfall structure shall be properly aligned within the stream and otherwise engineered, installed and maintained, to assure resistance to washout, and to erosion of the stream bed, stream banks and/or fill. Water velocity shall be dissipated at the outfall, to reduce erosion.

- An oil/water/trash separation and removal system shall be installed at all storm drains and street runoff structures prior to the water flowing into the creek channel. This system shall function as designed and shall be maintained on a regular basis by the landowner(s).

CLEAN UP

- Structures and associated materials not designed to withstand high water flows shall be moved to areas above high water before such flows occur.
- Any materials placed in seasonally dry portions of a stream or lake that could be washed downstream or could be deleterious to aquatic life shall be removed from the project site prior to inundation by high flows.
- Areas of disturbed soils with slopes towards a stream or lake shall be stabilized to reduce erosion potential. Planting, seeding and mulching is conditionally acceptable. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such stabilization. Any installation of non-erodible materials not described in the original project description shall be coordinated with the Department. Coordination may include the negotiation of additional Agreement provisions for this activity.
- If vacuum trucks or pumps are used to clean up any contamination, or for any other use, the vacuum hose shall be placed in a 3 to 4 square foot area, protected on all side by exclusionary fencing to lower velocities and to prevent the uptake of any aquatic life.

POLLUTION, SEDIMENTATION, AND LITTER

- No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake. Fish and Game Code Sections 5650 and 5652 prohibits any waste from being deposited within 150 feet from any waters of the state, at any time, even after this Agreement has expired.
- No concrete or concrete type material shall be poured for any structure if rain is forecasted within 15 days. After November 1st, all poured concrete shall contain a quick set ingredient to shorten the drying time.

- The Operator shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the operator to insure compliance.
- The Operator shall mark/sign/stencil all storm drains warning that dumping is illegal and all storm drains drain to creeks/rivers or ocean.
- Any equipment or vehicles driven and/or operated within or adjacent to the stream/lake shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.
- Stationary equipment such as motors, pumps, generators, and welders, located within or adjacent to the stream/lake shall be positioned over drip pans.
- No equipment maintenance shall be done within or near any stream channel or lake margin where petroleum products or other pollutants from the equipment may enter these areas under any flow.
- The clean-up of all spills shall begin immediately. The Department shall be notified immediately by the Operator of any spills and shall be consulted regarding clean-up procedures.
- Raw cement/concrete or washings thereof, asphalt, paint, construction waste, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contamination the soil and/or entering the waters of the state. Any of these materials, place within or where they may enter a stream or lake, by the Operator or any party working under contract, or with the permission of the Operator, shall be removed immediately.
- Equipment shall not be operated in wetted areas (including but not limited to ponded, flowing, or wetland areas) without the prior written approval of the Department.
- No equipment shall be operated within the stream.
- Precautions to minimize turbidity/siltation shall be taken into account during project planning and shall be installed prior to construction. This shall require that the work site be isolated and that water be diverted around the work area by means of a barrier, temporary culvert, new channel, or other means approved by the Department. A row of straw bales or silt fencing shall be placed across the channel, prior to, and immediately downstream of any work done within the creek. Precautions shall also include placement of silt fencing, straw bales, sand bags, and/or the construction of silt catchment basins, so that silt, or other deleterious materials are not allowed to pass to downstream reaches. The method used to

prevent siltation shall be monitored and cleaned/repared weekly. The placement of any structure or materials in the stream for this purpose, not included in the original project description, or Department approved water pollution/water diversion plan shall be coordinated with the Department. Coordination shall include the negotiation of additional Agreement provisions.

- Silty/turbid water from dewatering or other activities shall not be discharged into the stream. Such water shall be settled, filtered, or otherwise treated prior to discharge. The Operator's ability to minimize turbidity/siltation shall be the subject of pre-construction planning and feature implementation.
- Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a lake or flowing stream or placed in locations that may be subjected to high storm flows.
- Rock, gravel, and/or other materials shall not be imported to, taken from or moved within the bed or banks of the stream except as otherwise addressed in this Agreement. Water shall not be pumped from the channel and used for dust control or any other use in the project.
- The Operator shall not remove or otherwise disturb vegetation or conduct any other project activities on the project site from March 1 to December 1 to avoid impacts to breeding/nesting birds. OR, Prior to construction or site preparation activities, the Operator shall have a qualified biologist survey all breeding/nesting habitat within the project site and adjacent to the project site for breeding/nesting birds. If listed species are present, surveys shall begin no later than June 1. Surveys shall be conducted every 7 days for 8 consecutive weeks until at least July 1. Documentation of findings, including a negative finding must be submitted to the Department for review and concurrence. If no breeding/nesting birds are observed and concurrence has been received from the Department, site preparation and construction activities may begin. If breeding activities and/or an active bird nest is located and concurrence has been received from the Department, the breeding habitat/nest site shall be fenced a minimum of 300 feet (500 feet for raptors) in all directions, and this area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project.
- If threatened or endangered species are observed in the area, no work shall occur during the breeding season (March 1 through September 15) to avoid direct or indirect (noise) take of listed species and State and/or Federal threatened/endangered species permits may be required prior to commencing project activities. This Agreement does not authorize take of species listed as Threatened and/or Endangered.

- Be advised, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). This Agreement does not allow the Operator, any employees, or agents to destroy or disturb any active bird nest (Section 3503 Fish and Game Code) or any raptor nest (Section 3503.5) at any time of the year.
- The Operator's activities within the stream course shall be limited to the dry period of the year from May 1 to December 1 and when the stream is not actively flowing and no measurable rain is forecasted within 72 hours. If measurable rain is predicted within 72 hours during construction, all activities shall cease for the season, and protective measures to prevent siltation/erosion shall be implemented/maintained.
- If Least Bell's Vireo (LBV), willow flycatcher, red-legged frog, steelhead, tiger salamander, Lyon's pentachaeta, southwestern pond turtle, CA horned lizard, or any other T/E species or species of concern, are found within 500 feet of the work area, the Operator shall contact the Department immediately of the sighting and shall request an onsite inspection by Department representatives (to be done at the discretion of the Department) to determine if work shall begin/proceed. If work is in progress when sightings are made, the Operator shall cease all work within 500 feet of the area in which the sighting(s) occurred and shall contact the Department immediately, to determine if work shall recommence. Should these, or any other rare, threatened or endangered species, or species of concern, occur in the area, the Operator shall submit, for Department review and approval, a plan to ensure that no rare, threatened or endangered species are disturbed during project implementation. The plan shall be approved by the Department prior to initiation of any work.
- The Operator shall provide a copy of these conditions, to all contractors, subcontractors, and the Operator's project supervisors. Copies of this Agreement and all required permits and supporting documents, shall be readily available at work sites at all time during periods of active work and must be presented to any Department personnel or personnel from another agency upon demand. All contractors shall read and become familiar with the contents of this Agreement.
- A pre-construction meeting/briefing shall be held involving all the contractors and subcontractors, concerning the conditions in this Agreement.
- The Operator shall notify the Department, in writing, at least five (5) days prior to initiation of construction (project) activities and at least five (5) days prior to completion of construction (project) activities. Notification shall be sent to the Department at 4949 Viewridge Avenue, San Diego, 92123, Attn: ES. FAX Number (858) 467-4299, Reference #1600-XXXX0-XXXX-R5.

- The Operator herein grants to Department employees and/or their consultants (accompanied by a Department employee) the right to enter the project site at any time, to ensure compliance with the terms and conditions of this Agreement and/or to determine the impacts of the project on wildlife and aquatic resources and/or their habitats.