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Appeal Filed: 12/2/13
49th Day: 1/20/14
Staff: K.Huckelbridge-SF
Staff Report: 1/24/14
Hearing Date: 2/12/14

STAFF REPORT: APPEAL SUBSTANTIAL ISSUE

Appeal No.: A-4-STB-13-0253

Local Government: County of Santa Barbara

Local Decision: Approval with Conditions

Applicant: Southern California Gas Company (SoCalGas)

Appellant: Goleta Against Drilling (GAD-NO)

Project Location: 1171 More Ranch Rd., Santa Barbara County (APN 071-210-001) (see Exhibits 1 & 2)

Project Description: Expansion of the existing natural gas storage operation including drilling of two exploratory and two production natural gas wells, installation of on-site pipelines and construction of a gas dehydration unit and other appurtenant equipment.

Staff Recommendation: No Substantial Issue

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal has been filed. The appellants contend that the approved project is not consistent with policies and provisions of Santa Barbara County's certified Local Coastal Program with regard to: (1) visual resources, (2) agricultural resources, (3) development and hazards, (4) biological resources, (5) coastal access and recreation, and (6) cultural resources (see Exhibit 3). The standard of review at this stage of an appeal requires the Commission to

determine whether the appeal of the project, as approved, raises a substantial issue with respect to its conformity to the standards set forth in the certified Local Coastal Program or the public access policies of the Coastal Act that the appellants raise in their appeal (see Page 7 for criteria).

The Commission staff believes the proposed project does not raise a substantial issue regarding the La Goleta Storage Field Enhancement Project (“Project”) conformance with the relevant LCP policies. The County approved a limited expansion of Southern California Gas’s (SoCal Gas) La Goleta Underground Gas Storage Facility that would involve extracting native gas from an underground reservoir on site, producing the gas and finally integrating the emptied reservoir into the existing gas storage operation. The project would include drilling four production/exploration wells, installation of underground pipeline and construction of a gas dehydration unit (see Exhibits 1 & 2). The County fully analyzed the Project and determined that it was consistent with all policies of the Commission-approved LCP.

A key issue is the Project’s potential adverse visual effect due to the presence of a drilling rig. The Project would result in a significant but temporary impact to visual resources from the installation of a 172-ft tall drilling rig (see Exhibit 4). The drill rig would be present for 2-3 months in each of two consecutive years. The County determined there was no means of directly mitigating this impact but did include a mitigation measure requiring SoCal Gas to remove the drilling equipment from the site within 30 days following drilling of wells and immediately upon completion of well workovers. With this measure in place, and given the temporary nature of the impact, the County found the Project consistent with the visual protection policies of the LCP. The County also provided ample evidence in the record to find the Project consistent with the agricultural resources, development and hazards, biological resources, coastal access and recreation and cultural resources policies contained in the LCP.

As described in detail in the findings below (Section C), the County’s record adequately supports its position that the proposed project is consistent with all applicable LCP policies regarding the six issues raised in the appeal. In addition, the proposed development is limited in scope, does not have a significant adverse effect on coastal resources, has little precedential value, and does not raise issues of regional or statewide significance. Therefore, the staff recommends that the Commission find that **no substantial issue** is raised with regard to the grounds of appeal No. A-4-STB-13-0253.

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APPENDICIES

Appendix A - Substantive File Documents

EXHIBITS

Exhibit 1 – Site Location Map and Aerial Photograph of the Site

Exhibit 2 – Aerial Photograph of La Goleta Gas Storage Facility

Exhibit 3 – Appeal

Exhibit 4 – Notice of Final Action from Santa Barbara County

Exhibit 5 – Photo Simulations of the Drill Rig

Exhibit 6 – Photos taken from the Atascadero Creek bike path facing the SoCal Gas facility

Exhibit 7 – Biological Features of the Site

Exhibit 8 – Aquatic Features of the Site

I. APPEAL JURISDICTION AND PROCEDURES

A. APPEAL PROCEDURES

The Coastal Act provides that after certification of Local Coastal Programs (LCPs), a local government's actions on Coastal Development Permit applications for development in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of their coastal development permit actions. During a period of ten working days following Commission receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

1. Appeal Areas

Approvals of CDPs by cities or counties may be appealed if the development authorized is to be located within the appealable areas, which include the areas between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high-tide line of the sea where there is no beach, whichever is greater, on state tidelands, or along or within 100 feet of natural watercourses and lands within 300 feet of the top of the seaward face of a coastal bluff. (Coastal Act Section 30603(a)). Any development approved by a County that is not designated as a principal permitted use within a zoning district may also be appealed to the Commission irrespective of its geographic location within the Coastal Zone. (Coastal Act Section 30603(a)(4)). Finally, developments which constitute major public works or major energy facilities may be appealed to the Commission. (Coastal Act Section 30603(a)(5)).

In this case, the project is a major energy facility and is thus appealable to the Commission.

2. Grounds for Appeal

The grounds for appeal of a local government approval of development shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in Division 20 of the Public Resources Code. (Coastal Act Section 30603(b)(1))

3. Substantial Issue Determination

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission staff recommends that no substantial issue exists with respect to the grounds of the appeal, the Commission will hear arguments and vote on the "substantial issue" question. A majority vote of the Commissioners present is required to determine that the Commission will not hear an appeal. If the Commission determines that no substantial issue exists, then the local government's coastal development permit action will be considered final.

4. De Novo Permit Hearing

Should the Commission determine that a substantial issue does exist, the Commission will consider the CDP application de novo. The applicable test for the Commission to consider in a de novo review of the project is whether the entire proposed development is in conformity with the certified Local Coastal Program. Thus, the Commission's review at the de novo hearing is *not* limited to the appealable development as defined in the first paragraph of this Section I. If a de novo hearing is held, testimony may be taken from all interested persons.

B. LOCAL GOVERNMENT ACTION AND FILING OF APPEAL

On June 5, 2013, the Santa Barbara County Planning Commission adopted a resolution recommending that the Board of Supervisors approve, with conditions, SoCal Gas's La Goleta Storage Field Enhancement Project (12RVP-00000-00056 and 08CDP-00000-00185). The Board of Supervisors acts as the County's decision-maker for this project because approval of the project also required an amendment to the Coastal Zoning Ordinance.¹ The Board of Supervisors heard and approved SoCal Gas's La Goleta Storage Field Enhancement Project on June 25, 2013.

The Notice of Final Action for the project was received by Commission staff on November 14, 2013 (see Exhibit 4). Notice was provided of the ten working day appeal period, which ended on December 2, 2013.

The subject appeal was filed during the appeal period on December 2, 2013. Commission staff notified the County, the applicant, and all interested parties that were listed on the appeal and requested that the County provide its administrative record for the permit. The administrative record was received on December 18, 2013. On December 11, 2013, SoCal Gas submitted a waiver of the 49 day rule for appeal of a local government's final action on a coastal development permit.

¹ The amendment to the Coastal Zoning ordinance was approved by the Board of Supervisors on 6/25/13 and the California Coastal Commission on 11/13/13.

II. MOTION AND RESOLUTION

Motion:

I move that the Commission determine that Appeal No. A-4-STB-13-0253 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

Resolution:

*The Commission hereby finds that Appeal No. A-4-STB-13-0253 raises **No Substantial Issue** with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified LCP and/or the public access and recreation policies of the Coastal Act.*

III. FINDINGS AND DECLARATIONS FOR NO SUBSTANTIAL ISSUE

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The County of Santa Barbara approved drilling of two production wells and two exploratory/production wells, installation of approximately 2800 linear feet of underground gas pipelines on-site, construction of a gas dehydration unit and other appurtenant facilities to withdraw native gas from an onshore gas field at the existing La Goleta Storage Field. Native gas will be produced from the field for approximately 3 to 5 years. When the reservoir is sufficiently depleted of native gas, the wells will be converted into injection/withdrawal wells and integrated into the existing gas storage operation.² No additional equipment is needed for this conversion.

The project site is located at 1171 More Ranch Rd, Santa Barbara County (Exhibits 1 & 2). The 147.4 acre site is zoned PU - Public Works Utilities and Private Services Facilities. The existing development on the site consists of several natural gas compressors, a dehydration unit, ancillary equipment, and a large underground natural gas storage reservoir where natural gas is injected

² No compression will be used to inject natural gas into this portion of the storage field.

and stored for future use. When needed, gas is withdrawn from the reservoir, separated from any entrained sand and moisture, dehydrated, odorized, and then routed to pipelines for distribution in Central and southern California. In addition to the facilities associated with the storage reservoir, there are also two 250ft radio towers located on the site.

B. APPELLANTS' CONTENTIONS

The County's action was appealed by Goleta Against Drilling through the law office of Mark Chytilo. The appeal was filed on December 2, 2013, attached as Exhibit 3. The appeal asserts that the approved project is inconsistent with policies and provisions of Santa Barbara County's certified Local Coastal Program with regard to: (1) visual resources, (2) agricultural resources, (3) development and hazards, (4) biological resources, (5) coastal access and recreation, and (6) cultural resources.

C. ANALYSIS OF SUBSTANTIAL ISSUE

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellants relative to the locally-approved project's conformity to the policies contained in the certified LCP or the public access policies of the Coastal Act.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." (Cal. Code Regs, Title 14, Section 13115(b)). In previous decisions on appeals, the Commission has been guided by the following factors:

- The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;
- The extent and scope of the development as approved or denied by the local government;
- The significance of the coastal resources affected by the decision;
- The precedential value of the local government's decision for future interpretations of its LCP; and
- Whether the appeal raises only local issues, or those of regional or statewide significance.

In this case, for the reasons discussed below, the Commission determines that the appeal raises no substantial issue with regard to the grounds on which the appeal has been filed, as discussed below, including: (1) visual resources, (2) agricultural resources, (3) development and hazards, (4) biological resources, (5) coastal access and recreation, and (6) cultural resources.

1. Visual Resources

The appellant asserts that the project is inconsistent with the County's LCP Policies 1-1 (identical to Coastal Act Section 30251) and 4-4 that protect visual resources.

Coastal Act Section 30251, incorporated into the County's LCP under LCP Policy 1-1 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Policy 4-4 states:

In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.

The principal concern raised by the appeal relates to SoCal Gas's use of a 172-foot drilling rig to drill four gas wells. The appeal states that the drilling rig would be highly visible from several public viewing areas, including Goleta Beach Pier and Park, the Atascadero Creek Bikeway, Highways 217 and 101 and surrounding neighborhoods. FAA regulations require that the rig be lighted at night, making the rig visible from Goleta Beach Pier at night. Thus, according to the appeal, "The Project, in particular the 172-foot drilling rig, is not sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, or to be visually compatible with the character of the surrounding areas."

As discussed in the Final Environmental Impact Report (EIR) for the SoCal Gas La Goleta Storage Field Enhancement Project ("Project"), impacts associated with visibility of the drilling rig would be temporary. During the first phase of the project, which includes drilling two production wells, the drilling rig would be present for 89 days of the total 145 day construction period. The second phase, which includes drilling two exploratory wells, would begin approximately one year after the end of the first phase and would last a total of 104 days. The drill rig would be present for 68 of those days. A workover rig would be used for two to three days per well to integrate the wells into the gas storage operations, once the production phase is complete. Due to the site's proximity to the Santa Barbara Airport, the rig must be lit at night with one red light. The EIR included several visual simulations that demonstrate visibility of the rig from various viewpoints (see Exhibit 5). SoCal Gas submitted a response to the appeal and noted that this is the same type and size of rig that has been used to drill and redrill wells on the

existing site in the past. In analyzing this impact, the County found that, for the reasons described above, the drilling rig would create a significantly adverse aesthetic impact, and because of the size of the drilling rig, the requirement for night lighting, and the location and duration of the rig's use, there was no means of mitigating this impact to below levels of significance. The County did include a permit condition (Special-Aest-3) requiring SoCal Gas to remove the drilling equipment from the site within 30 days following drilling of wells and immediately upon completion of well workovers. Although classified as significant and unavoidable, the County found that the visual impacts associated with the drill rig were acceptable when weighed against the overriding social, economic, legal, technical, and other considerations.

In addition, the County analyzed several alternative drilling locations to ensure that impacts from the project were minimized. Section 6.0 of the EIR analyzes several alternative drilling locations, including sites outside the La Goleta Storage Facility, the existing Compressor area, the existing Dehydration area and a consolidated drilling and gas processing area. The EIR concludes that given the height of the drill rig, it would be visible from public viewing places in any of the alternative drill sites. The EIR states:

“Although other locations on the project site may be feasible, the proposed locations appear well selected to minimize environmental impacts, including noise, public safety, visual, biological, and cultural resource impacts. Relocating the project to these or other areas of the facility site does not offer any identifiable reductions in project impacts.”

Furthermore, the County included mitigation measures in the CDP that ensure that the temporary visual impact associated with the drill rig is limited in scope and extent. The appeal contends that the conditions imposed by the County do not “guarantee that the rigs will not be present on the site for longer than anticipated, particularly in the event that the drilling phase(s) last for more years than anticipated.” However, Special Condition 2 (Special-Proj Des-02) requires that SoCal Gas implement the approved project in conformance with the project description included in the County's staff report. Specifically, Special Condition 2 states that the “applicant will use best efforts to meet the drilling timelines identified in Condition 1, Project Description. These timelines may be extended by the Director for Good Cause.” Thus, if SoCal Gas seeks to extend the drilling periods, they will be required to obtain the approval of the County's Director. If the Director finds that extending the drilling period would result in additional impacts not assessed in the County's permit, SoCal Gas would be required to apply for an amendment to its permit, and the County could impose additional mitigation measures at that time. This condition ensures that the extent and scope of the development approved in the County's permit is limited to that which is currently proposed and any extension can be evaluated for additional impacts.

Aside from the temporary drilling rig, other development proposed as part of the Project is visually compatible with the existing site. As discussed in the County's staff report, the Project is located within a designated urban area on a parcel zoned Public Utilities. New permanent facilities are similar in nature and scale to the existing storage facilities on the site and will be screened from public view points. The new dehydration plant will be screened from views along More Ranch Road and the well pads and dehydration plant will not be visible from public

viewing points north of Atascadero Creek or to the west at Goleta Beach. The Project will not result in the alteration of natural landforms. Based on this information and information presented above related to the drill rig, the County concluded that the visual impacts from the drilling rig would be temporary and the impact would be eliminated when the drill rig is removed from the site. In addition, other proposed development would be screened from public viewing and would be subordinate to the character of the existing site. Thus, the County had an adequate basis to determine that the Project is consistent with LCP Policy 1-1, incorporating Coastal Act section 30251, and Policy 4-4 of the LCP.

The appeal also states that vegetation clearing on the northern property boundary exacerbates the potential visual impacts from the North, including the Atascadero Creek bike path and the La Goleta Mobile Home Park. Removal of vegetation, including mature trees, was authorized under coastal development permit E-11-031 issued on March 9, 2012. This permit authorized SoCal Gas to implement a five-year Vegetation and Pipeline Management Plan that included clearing vegetation adjacent to SoCal Gas facilities to comply with access and safety requirements. Exhibit 6 shows pictures of the project site taken by County staff on December 22, 2013 from the Atascadero Creek bike path. Although some breaks in the vegetation are evident, the SoCal Gas site is almost completely screened along the bike path. The two 250 ft radio towers present on the site are not visible from this location. Given the height of the tree canopy in this area and the angle and distance to the site where the drilling rig would be located, it is likely that the 172 ft drilling rig would also not be visible from this location. Documentation from the Project Visual Simulation Specialist that conducted the visual simulation analysis for the EIR and a memo submitted by Padre Associates (Appendix B to the EIR) that presented the results of a focused analysis on visual impacts from the Atascadero Creek bike path and the Rancho Goleta Mobile Home Park support this assertion.

Based on a review of the project and the record, and for the reasons discussed above, the Commission finds the project is consistent with the applicable LCP provisions regarding protection of visual resources and therefore does not raise a substantial issue of LCP conformity.

2. Agricultural Resources

The appellant raises concerns regarding agricultural resources and asserts that the Project is not consistent with Coastal Act sections 30241 and 30242, incorporated into the County's LCP under LCP Policy 1-1.

Coastal Act Section 30241 states:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses.

Coastal Act Section 30242 states:

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

The appeal contends that given the site's proximity to the Patterson Agricultural Block, the Project is inconsistent with these policies because "the Project includes no measures to maximize the amount of prime agricultural land maintained in agricultural production, or to minimize conflicts between agricultural and urban land uses. Furthermore, the appeal contends that "locating a new hazardous industrial development adjacent to a vital urban agricultural area may compromise continued agricultural use on the surrounding lands, particularly in the event of an accident."

The Project involves expanding the storage capacity of an existing gas injection, withdrawal and processing facility that has been in operation since 1941. The site is zoned PU (Public Works Utilities and Private Services Facilities). Although an industrial site, a large portion of the unused land has been leased for agricultural production. Currently, 65 acres of the 147.4 acre site are leased to a grower, although only 15 of those acres are under production. The remaining 50 acres are available for planting. The California Department of Conservation mapped the site as having Prime Farmland, Farmland of Statewide Importance and Farmland of Unique Importance based on the physical and chemical features of the site. Class II prime soils make up 38% of site in the northwest and southeast portions of the site. The northwest portion is under cultivation currently. Several parcels adjacent or near to the SoCal Gas property are zoned for agriculture.

The Project will permanently convert 2.5 acres of land currently used for agriculture to a non-agricultural use, including 1.1 acres of mature plantings. An additional 4.3 acres will be temporarily affected by construction during either phase I or phase II (including 1.3 acres of mature plantings) but can revert to agricultural use at the conclusion of the project. All affected areas are underlain with Class III (non-prime soils) and are designated as Farmland of Unique Importance (the lowest designation). The Project will not impact any Class II prime soils or portions of the site designated as Prime Farmland or Farmland of Statewide Importance.

In evaluating the Project's impacts to agricultural resources, the County used a weighted point system described in the Santa Barbara County Environmental Guidelines and Thresholds Manual. This system is used County-wide but is not part of the LCP, although the project can nevertheless be found consistent with the LCP. The EIR concluded that the Project would not result in significant impacts to agricultural resources because (1) the area of farmland permanently or temporarily affected by the Project is small, (2) the grower would have unimpeded access to the agricultural fields not affected by the project during construction, (3) new underground piping will be placed at sufficient depth (approximately 4

feet) to allow future farming activities, and (4) the Project will not affect neighboring agricultural operations.

A review of the County's decision indicates that the County's action was consistent with the agricultural resource protection policies of the LCP. A key consideration is that the subject parcel is zoned as a Public Works Utility and has been an active industrial operation for over 70 years. This facility has co-existed with nearby farming operations for many years and the analysis in the EIR determined that the Project would not have impacts on nearby agricultural operations. SoCal Gas's lease of a portion of its land to local growers is an added benefit to the agricultural resources in the region, and serves to minimize conflicts that might arise between agriculture to the east and urban land uses to the west.

The 2.5 acres of land on the SoCal Gas site that is currently farmed but will be taken out of agricultural use is not considered prime agricultural land, and Project-related activities are not anticipated to have any adverse impact on prime agricultural land. Thus, the Project is consistent with Coastal Act Policy 30241. The Project is also consistent with Coastal Act Policy 30242 because the Project consolidates industrial development on the existing industrial site and preserves existing prime agricultural lands for agricultural use. In addition, the SoCal Gas property is located in an area designated for urban uses by Santa Barbara County and is directly adjacent to lands incorporated into the City of Goleta. Furthermore, the proposed development will not adversely impact the ability of adjacent agricultural operations to continue to operate. Thus, development will be concentrated on this industrially-zoned site and will be compatible with continued agricultural use on surrounding lands.

For the reasons cited above, the Commission finds that the County has adequately supported the findings that the project is consistent with the agricultural resource protection policies of the LCP and that it does not raise a substantial issue of LCP conformity with regard to agricultural protection.

3. Development and Hazard Policies

The appellant asserts that the project, as approved by the County, is inconsistent with policies and provisions of the Santa Barbara County Local Coastal Plan related to development and the minimization of hazards. Specifically, the appeal cites the following policy:

Section 30253 of the Coastal Act, incorporated into the County's LCP under LCP Policy 1-1 states:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.*
- (d) Minimize energy consumption and vehicle miles traveled.*
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The appeal raises concerns about potential earthquakes, ground disturbing activities and vibration. The Project site is located in a seismically active region and, according to the EIR, is likely to experience strong ground shaking over the life of the project. The appeal asserts that this makes the project inherently inconsistent with Section 30253 of the Coastal Act. However, as the EIR and the County's staff report note, the Project would be constructed in accordance with all applicable standards of the California Code of Regulations (CCR), California Division of Oil, Gas and Geothermal Resources (DOGGR), Uniform Building Code (UBC), and grading permit conditions imposed by the Building and Safety Division of the County of Santa Barbara. This will ensure that the well, pipeline segments and dehydration unit will be built to the State's specifications, which are specifically designed to maintain stability and structural integrity in California's geologically active environment. The site will also be periodically inspected by County staff during construction to ensure compliance with all mitigation measures.

With respect to ground disturbing activities, the appeal raises concerns related to language in the EIR that states "earthwork activities would have the potential to create unstable earth conditions, such as unstable trench walls and differential settlement of trench backfill material. Although the slightly undulating terrain across the site is not susceptible to landsliding, the subject parcel is located along a coastal bluff, which maybe subject to slope failure." To address these issues, the County included a mitigation measure requiring that SoCal Gas implement the recommendations included in two reports prepared by Applied Earth Sciences (AES) that cover pipeline trenching, foundation/pad construction, access roads, pavement design, grading, temporary excavation, drainage and testing and construction procedures. These measures are designed to minimize potential impacts from unstable soils.

In addition, the County calculated the 75-year bluff setback as 32 feet and required that all ground-disturbing activity be located outside of this area. The proposed development closest to the bluff would be located approximately 245 feet from the bluff edge, significantly behind any setback distance that would affect bluff stability. As a result, bluff protective devices were not proposed or required. To address the potential for erosion, SoCal Gas is also required to develop an Erosion and Sediment Control Plan, to be approved prior to issuance of the permit. With these measures in place, the County determined that the Project was consistent with the development and hazards policies of the LCP.

Finally, the appeal contends that noise and vibration could impact nearby communities and users of the Atascadero Creek bike path and Goleta Beach, stating that the "County approved conditions/mitigation measures do not adequately protect special communities and popular destination points." The County's EIR included a very thorough analysis of potential impacts

from noise and vibration. Veneklasen Associates conducted a study, analyzed in the EIR, which included ambient noise monitoring, measurements and modeling of noise emission from existing and proposed activities, and estimation of noise impacts at sensitive receptors. The County then contracted Dudek & Associates to take additional, confirmatory, ambient noise measurements at sensitive receptors.

Based on data collected by Veneklasen Associates and Dudek & Associates, the EIR analyzed construction and operation noise alone and in combination with ambient noise and concluded that noise generated by the proposed project would not be above the significance thresholds set by the County at the boundaries of the property. However, the County also made a finding that operation of the new dehydration plant and 24-hour operation of the drill rig could result in adverse (but less than significant) impacts to residences located east and south of the site, especially at night when ambient noise levels are the lowest. To reduce potential adverse noise impacts and to ensure consistency with the LCP, the County required several mitigation measures, including limits on construction hours, use of mufflers and/or silencers for mobile construction equipment, and shielding for stationary equipment. The County also required SoCal Gas to develop and implement a Construction Noise Reduction and Verification Plan and an Operational Noise Reduction and Verification Plan, including monitoring and a requirement to suspend operations should noise levels not be in compliance with these plans. With these mitigation measures in place, the County determined that noise from the new dehydration plant would be reduced to ambient levels and noise from the drilling rig would be kept to a barely noticeable increase over ambient levels.

The appeal also cites vibration as a concern for nearby residents. The EIR contains several public comment letters from residents of the nearby Ranch Goleta Mobile Home Park expressing concern about vibration levels associated with existing operations. These concerns have been attributed to operation of the existing compressors which are used to inject gas into the existing storage reservoir (See EIR Response to Comments - Bryan-1, p. 11.2-13). In the new proposed reservoir, gas would not be compressed but instead would be injected using the pipeline pressure. Thus, the proposed project would not increase or otherwise alter use of the compressors. The EIR does state that the drilling rig may temporarily increase vibration levels at the site. However, an extensive analysis by Veneklasen Associates found that vibration levels from the drill rig would be significantly below perceptible levels at the nearest sensitive receptors (Ranch Goleta Mobile Home Park, Caird Barn and the nearest property line). Both noise and vibration decrease in magnitude with increasing distance from the source. The public areas cited in the appeal are farther (Goleta Beach County Park) or at least as far (Atascadero Creek bike path) away from the source as the sensitive receptors included in the Veneklasen study. Thus, the County found that noise and vibration levels at these locations will be equal to or less than the levels predicted in the study, and they will therefore be consistent with applicable LCP policies.

The Commission's geological expert, Dr. Mark Johnsson, reviewed the issues raised in the appeal and the County's analysis and decision and determined that the appeal did not raise a substantial issue with respect to development and hazards.

The project, as conditioned by the County, is consistent with the development and hazard policies of the LCP, so the appeal does not raise a substantial issue of LCP conformity on this issue.

4. Biological Resources

The appeal also claims that the County's CDP "lacks adequate conditions/mitigation measures to ensure that the Project will not result in conflicts with the LCP's biological resource protection policies." Although no specific LCP policies are cited, the appeal cites concerns with monarch butterflies, wildlife migration corridors and a great blue heron rookery, vernal pool fairy shrimp, impacts to migrating birds from night lighting, and reduced foraging success due to noise and dust.

The relevant LCP policies include:

Coastal Act section 30240, which 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.*

Policy 9-1 states:

Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies of the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.

Policy 9-4 states:

All permitted industrial and recreational uses shall be regulated both during construction and operation to protect critical bird habitats during breeding and nesting seasons. Controls may include restriction of access, noise abatement, restriction of hours of operations of public or private facilities.

Policy 9-14 states:

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.

Policy 9-22 states:

Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season.

Policy 9-23 states:

Adjacent development shall be set back a minimum of 50 feet from the trees.

Monarch butterflies are indigenous to this region and are listed as a “Special Animal” by the California Department of Fish and Wildlife. The EIR notes that two Monarch butterfly sites have been mapped as ESHA on the SoCal Gas parcel, north of the existing plant (see Exhibit 7). In addition to general ESHA protection policies, the County’s LCP also includes policies prohibiting removal of butterfly trees and requiring that development be setback at least 50 feet from these trees. The proposed development would be located more than 500 feet from any potential monarch habitat, and therefore it is not in ESHA nor are any impacts to this ESHA anticipated. The County thus found the Project consistent with LCP Policy 1-1, incorporating Coastal Act section 30240, and Policy 4-4 of the LCP. In addition, during the alternative analysis phase, two of the alternatives sites (compressor area and dehydration area) for the proposed well sites were rejected because they would bring the development within 300 feet of the Monarch sites.

The appeal contends that the Project fails to protect an upland wildlife migration corridor and a great blue heron rookery. The biological resources section of the EIR addresses both of these resources. The EIR states that based on the discovery of coyote tracks, it is likely that the La Goleta Storage Field serves as an upland migration corridor. This area has not been identified as ESHA. Development associated with the Project is located a significant distance from these upland habitat areas and will not impede the movement of wildlife through the site. Thus, the County found that impacts to the wildlife corridor were insignificant.

In addition, a great blue heron rookery, which would also be considered ESHA, is located approximately 0.1 miles southwest of one of the proposed drill sites (see Exhibit 7). The EIR notes that existing operations at the site do not appear to disrupt the rookery. Thus, proposed development would not be in ESHA nor would it be expected to adversely impact ESHA due to the fact that the rookery is far enough away from existing operation that it does not appear to adversely impact the rookery. In addition, the County included a mitigation measure that requires SoCal Gas to avoid ground-disturbing activities during the bird breeding season if feasible. If it is not feasible to avoid the bird nesting season, SoCal Gas must fund a biologist to survey the area within 500 feet for active nests. If active nests are found, no ground-disturbing activities may occur within 300 feet of the nest.

The EIR’s conclusions on monarch butterflies, wildlife migration corridors and the great blue heron rookery are based on a professional biological assessment. There is no information in the record, nor did the appellant provide any substantive information that contradicts these

conclusions. One of the Commission's biological experts, Dr. Jonna Engel reviewed the record and the claims made in the appeal and determined that based on (1) the distance of the project elements from these areas (2) the inclusion of mitigation measures including construction timing limitations, construction constraints and best management practices, and noise mitigation requirements, the project does not raise significant biological concerns and it will be compatible with the continuance of adjacent ESHA.

Vernal pools also have the potential to be present on the SoCalGas parcel. Vernal pools are a type of seasonal wetland that supports a unique collection of flora and fauna, including listed species such as the vernal pool fairy shrimp (*Branchinecta lynchi*). A wetland delineation was conducted by Padre Associates in 2008. The resulting report identified two wetland areas on the SoCal Gas property, one within Atascadero Creek and one near the southern entryway to the existing plan but did not identify any potential vernal pool habitat (see Exhibit 8). However, in response to a comment made in 2010 by the U.S. Fish and Wildlife Service during the scoping period for the EIR, Padres Associates went back into the field on August 10, 2010 to assess the site specifically for vernal pool fairy shrimp habitat. Although this survey took place during the dry season, Padre Associates determined that suitable habitat for vernal pool fairy shrimp does not exist on the site, largely due to the density of weedy vegetation and the relatively swift movement of water through the delineated wetlands (conditions that can be adequately assessed during the dry season and that would preclude the presence of vernal pools).

Based on this study, the County determined that the Project was consistent with the wetland and biologic resource protection policies included in the LCP. Dr. Engel also reviewed the initial biological assessment, the August 10, 2010 wetland delineation and other relevant documents in the record. She had also previously visited the site to review a previous wetland delineation. She determined that although August is not the ideal time of year to conduct a vernal pool survey, based on her review of the existing surveys, her knowledge of the site and her analysis of current aerial photos and satellite images, she concurred with the results of the vernal pool survey that the site does not currently support vernal pools or habitats suitable for vernal pool fairy shrimp. This is due in large part to the hydrology of the existing wetlands and the current agricultural use of the property. Thus, she concluded that the Project would not result in impacts to vernal pools or vernal pool fairy shrimp, and can thus be found consistent with Coastal Act section 30240 and LCP policy 9-14.

The appeal also raises concerns about impacts to migrating birds due to the night lighting of the drilling rig required by the FAA. The EIR notes that several studies have shown that migrating birds are affected by artificial light on buildings. The County imposed a mitigation measure that would require SoCal Gas to keep temporary construction lighting to a minimum, install light shields and ensure that new permanent lighting is of low intensity, low glare design, minimum height and hooded to prevent spillover into adjacent lots and habitats. Because the site is currently lit at night, this mitigation measure will ensure that any new lighting does not cause additional impacts. It is not possible, however, to apply this mitigation measure to the FAA-required lighting on the drill rig. In this case, the County found that impacts to wildlife from a single light were not significant due to the temporary nature of the potential impact (2-3 months per year for two years). Furthermore, the site already contains two 250 foot radio towers that are required to be lit at night. Dr Engel also reviewed the County's findings as it relates to temporary

night lighting of the drilling rig. She concurred with the County that the sky glow emitted from one light for a short period of time was not likely to result in a significant adverse impact to migrating birds.

Finally, the appeal claims that noise and dust generated by construction activities associated with the project could result in significant impacts to wildlife. The EIR acknowledges that noise and dust emissions have the potential to "create temporary disturbances to wildlife resulting in reduced foraging success." To address this potential impact, the County imposed mitigation measures that require SoCal Gas to spray work areas with water to reduce dust, and to minimize the use of heavy construction equipment to reduce noise. In addition, as discussed in detail in the previous section, the County imposed additional mitigation measures to reduce impacts from construction-related noise. The appeal contends that the mitigation measure requiring SoCal Gas to minimize use of heavy construction equipment is vague and unenforceable. However, the measure specifically states that SoCal Gas must show on the grading and building plans that it is using the minimum practical engine size and that the amount of heavy construction equipment operating at one time is minimized through efficient management practices. Compliance with this mitigation measure will be monitored by County staff through periodic site inspections. With these measures in place, and when considered in conjunction with the disturbed nature of the site and the distance to potential breeding bird habitat, the County found that impacts would be less than significant and that the Project was in compliance with the biological resource protection policies of the LCP.

Thus, the Commission finds that the County adequately addressed the project's potential impacts to ESHA and other biological resources and that the project does not raise a substantial issue of LCP conformity related to biological protection.

5. Coastal Access and Recreation

The appeal claims that the County's CDP for the SoCal Gas La Goleta Storage Enhancement project is inconsistent with the County's LCP policies on public access and recreation. Specifically, the appeal cites the following policies:

Section 30210 of the Coastal Act, incorporated into the County's LCP under LCP Policy 1-1 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.

Section 30211 of the Coastal Act, incorporated into the County's LCP under LCP Policy 1-1 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.

Section 30212(a) of the Coastal Act, incorporated into the County's LCP under LCP Policy 1-1 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.

LCP Policy 7-2 states:

For all development between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:

- a. Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or*
- b. Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or*
- c. Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or*
- d. The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In no case, however, shall development interfere with the public's right of access to the sea where acquired through use unless an equivalent access to the same beach area is guaranteed.*

The County may also require the applicant to improve the access corridor and provide bike racks, signs, parking, etc.

LCP Policy 7-3 states:

For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County, based on findings reflecting historic use, existing and future public recreational needs, and coastal resource protection.

At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide. In no case shall the dedicated easement be

required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.

LCP Policy 7-25 states:

Easements for trails shall be required as a condition of project approval for that portion of the trail crossing the parcel upon which the project is proposed.

The appeal contends that the Project is inconsistent with Section 30212 of the Coastal Act and LCP Policies 7-2 and 7-3 because it does not provide public access through the SoCal Gas property to the shoreline and along the coast. In analyzing impacts to public access, the County determined that although the SoCal Gas parcel was located between the first public road and the ocean, SoCal Gas was not required to provide public access as part of the Project because two of the exceptions listed in Coastal Act Section 30212 (a) and Policy 7-2 were met. First, there is adequate public access to the ocean at Goleta Beach County Park, located less than 0.5 miles to the west of the site. Second, providing public access through the SoCal Gas property, an active industrial facility, is not consistent with public safety. Thus, the County determined the project was consistent with Section 30212 of the Coastal Act and LCP Policies 7-2. Furthermore, the County determined that the public currently has lateral access through Goleta Beach County Park to the shoreline below the bluffs just south of the project site, making the Project consistent with Policy 7-3. The County's findings under all three of these LCP policies are supported by the facts. The public safety exception in Section 30212 and Policy 7-2 is commonly applied to industrial sites, and was applied appropriately by the County in this case.

The appeal also claims that the Project is inconsistent with Section 30211 of the Coastal Act because impacts associated with the project (i.e., noise, light, vibrations and hazards) will interfere with the public's access to and enjoyment of the coast. The appeal states that the "Project proposes highly intense activities with impacts that are incompatible with the tranquil recreational and sensitive estuarine habitat that attracts recreationalists (i.e., birdwatchers) immediately below the proposed well sites." To address this concern, the appeal suggests the proposed development be located elsewhere on the parcel. Both the EIR and the County's staff report include a discussion of alternatives that includes analysis of several different well site locations on the SoCal Gas property, including well sites located on the eastern part of the SoCal Gas property, farther away from Goleta Beach County Park. However, the County determined that constructing the wells at these locations could result in significant impacts to other coastal resources (i.e., biological resources and hazards) and that siting the wells at the proposed locations minimized these impacts.

Both the EIR and the County's staff report include an extensive analysis of potential noise and vibration impacts. Once the storage field is expanded, noise and vibration levels associated with normal operations are not anticipated to vary significantly from existing operations. The existing operation has co-existed with the public land uses, including Goleta Beach County Park and Pier and the Atascadero Creek bike path in a manner that has not

infringed on the public's right to use and enjoy these resources. Thus, impacts are most likely to occur during construction and drilling of the wells. As discussed in section III.C.3, the Veneklasen study measured and modeled noise and vibration levels at the closest sensitive receptors (two residential areas located on the northern and eastern boundary of the site). As already discussed, noise and vibration levels without mitigation were predicted to be below the County's thresholds. However, to further decrease nighttime noise levels to barely audible or inaudible, the County imposed mitigation measures that require limits on construction hours, use of mufflers and/or silencers for mobile construction equipment, shielding for stationary equipment, and development of a Construction Noise Reduction and Verification Plan that includes monitoring and a requirement to suspend operations should noise levels not be in compliance with these plans. With these measures in place, the County found that impacts from noise and vibration would be less than significant. The study also found that vibration levels associated with the Project would not be perceptible beyond the boundaries of the property. Noise and vibration are increasingly attenuated with distance from the source. Since Goleta Beach Park is located farther away from the site than the receptors included in the study, noise and vibration levels at this location are likely to be significantly less than those predicted in the Veneklasen study. Thus, noise and vibration levels at the Goleta Beach County Park and other public recreation locales will not reach significant levels, and the County's determination that the Project is consistent with Section 30211 of the Coastal Act (LCP Policy 1-1) is well-founded.

The County also looked very closely at impacts from geologic hazards and from the potential release of hazardous materials into the environment. Geologic hazards are addressed in Section III.C.3. The EIR included an extensive risk analysis that assessed potential impacts to public safety and environmental resources from a hazardous materials release. The risk analysis established a baseline risk associated with current operation of the La Goleta Storage Facility and then evaluated risks associated with the Project and the cumulative risk for the existing and expanded operations. This analysis concluded that the Project only adds a small amount of risk to the baseline risk associated with existing operations. Although the hazard zones for releases from some of the equipment associated with this project do extend into nearby public areas, the probability of an injury is very low (i.e., <1 in 10,000,000 years for well sites and pipelines and 1 in 124,524 years for the gas processing facility). The baseline and the cumulative risk are both considerably below the threshold for potential significance set by the County. Results from this analysis indicate that the risk of an accidental release at the La Goleta Storage facility is extremely low and would not infringe on the public's right to access the coast at nearby locations. Thus, the appeal does not raise a substantial issue with regard to coastal hazards as they relate to public access.

Finally, the appeal raises concerns that the County did not require an easement dedication for the Coastal Trail as part of the approval for the Project. Review of the County's Parks, Recreation and Trails Maps show a proposed trail along the southern boundary of the site. However, according to the County, this trail is still in the beginning stages of the planning process and is not a priority for the Parks Dept (personal communication, Nancy Minnick). The County has no funding or plans to design or build the trail in the near future. Furthermore, the proposed project is located more than 450 feet back from the bluff edge and would not preclude future construction of the trail on the bluff. Thus, the Project would not

result in public access impacts with respect to the potential for construction of a Coastal Trail on the bluff edge.

For the reasons discussed above, the Commission finds the County has adequately supported the findings that the project is consistent with the public access policies of the LCP and that the appeal does not, therefore, raise a substantial issue.

6. Archeological Resources

The appeal asserts that the CDP issued by the County for the Project is inconsistent with the County's LCP policies protecting archeological resources. Specifically, the appeal states that there is "no reference to even a site survey or any identification of potential cultural resources on site, and thus no consideration of LCP requirements of avoidance (Policy 10-2), Native American consultation (Policy 10-5), or impact mitigation (Policy 10-3)." The specific language of the policies discussed is as follows:

LCP Policy 10-2 states:

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.

LCP Policy 10-3 states:

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.

LCP Policy 10-5 states:

Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.

Contrary to the appeal's contentions, the EIR includes a detailed analysis of potential impacts to cultural and archeological resources. According to the County's staff report, the subject parcel is located within the historic territory of the Barbareño faction of the Chumash Native American Indian group. Applied Earthworks, Inc. was contracted to perform a records search and accompanying field survey to identify potential cultural resources in the general project area. This survey revealed that one prehistoric archeological site (CA-SBA-43), a large habitation site with associated cemeteries, was located in the immediate vicinity of the project. Three other sites were located immediately adjacent to the project area. Based on the results of this study, one of the original well sites was relocated to avoid CA-SBA-43, consistent with Policy 10-2.

SoCal Gas and the County conducted a thorough alternatives analysis and determined that the proposed project sites minimize impacts to archeological and other coastal resources. The EIR concluded that no impacts to cultural resources would occur from the proposed project elements at the four well sites and the dehydration plant. However, the pipeline connecting three of the well sites with the dehydration plant would cross CA-SBA-43 for approximately 560 ft. To address this potential impact, the project was redesigned to avoid impacts by boring under the archeological site for installation of the gas line.

Although the purpose of including the bore is to avoid impacts to CA-SBA-43, the County nevertheless determined that due to the high cultural sensitivity of the area and the potential for inadvertent adverse impacts from the Project, in accordance with LCP Policies 10-3 and 10-5, SoCal Gas would be required to implement four mitigation measures in accordance with the Native American Heritage Commission (NAHC) and State Office of Historic Preservation requirements and the County's Cultural Resource Guidelines to ensure that impacts were not significant. These mitigation measures require SoCal Gas to (1) have a qualified archeologist and Native American consultant present for all initial earth-disturbance activities, (2) hold a worker orientation meeting to identify project boundaries and familiarize workers with cultural resource identification, (3) confirm, map and mark all exclusion areas, and (4) stop or redirect work in the event that archeological remains are encountered and evaluate the significance of the find. With these mitigation measures in place, the County found that the Project minimized potential impacts to cultural resources and was consistent with LCP policies 10-2, 10-3 and 10-5. In reviewing the record, the Commission finds that the County has adequately supported the findings that the project is consistent with the archeological and cultural resource protection policies of the LCP.

D. CONCLUSION

For the reasons discussed above, the Commission finds that the appeal does not raise a substantial issue with respect to the consistency of the approved development with the policies of the County's certified LCP. As identified in section III.C above, the Commission typically considers five factors when assessing whether an appeal raises a substantial issue, and none of the five factors are met in this case.

First, the County has provided a high degree of factual and legal support for the decision that the proposed development is consistent with the certified LCP policies related to: (1) visual resources, (2) agricultural resources, (3) development and hazards, (4) biological resources, (5) coastal access and recreation, and (6) cultural resources.

The second substantial issue factor is the extent and scope of the development as approved by the local government. In this case, the County approved a limited expansion of an existing industrial use. While there will be some temporary visual impacts associated with construction and drilling of four wells, given that these impacts are anticipated to last only four or five months over a two year period, the impact is not of an extent or scope to raise a substantial issue of LCP conformity. Thus, the Commission finds that the appeal does not raise a substantial issue in this respect.

The third substantial issue factor is the significance of coastal resources affected by the decision. In this case, as discussed above, the only resource to be significantly impacted by the Project is the visual quality of coastal areas. As stated in the EIR, the drill rig will be visible from several public viewpoints, including a public beach and fishing pier. Although the presence of the drill rig will likely degrade the visual experience from certain viewpoints at these popular public coastal areas, it will not impede the public from accessing or recreating at Goleta Beach, the fishing pier, or other public coastal areas. In addition, the visual impact is temporary. Once the drilling phases are completed, the visual experience of the site will return to the existing condition. Given these factors, the appeal does not raise a substantial issue based on the significance of the resource.

The fourth substantial issue factor is the precedential value of the local government's decision for future interpretation of its LCP. In this case, as described above, the Commission finds that the project is consistent with the policies of the LCP with respect to the grounds of appeal. As such, the County's decision will have no adverse precedential value for future CDP decisions.

The final factor is whether the appeal raises only local issues, or those of regional or statewide significance. Here, although protection of coastal resources is a statewide concern, the issues raised in this appeal are specific to the local area and does not raise issues of statewide significance.

In conclusion, the Commission finds that the approved project conforms to the policies and provisions of the LCP related to visual resources, agricultural resources, development and hazards, biological resources, coastal access and recreation, and cultural resources. In addition, the Commission finds that the extent and scope of the subject project is limited, the project approval will not be a precedent for future industrial developments, and the concerns raised by the appeal are local and do not raise issues of statewide significance. Therefore, the Commission finds that the assertions of the appeal do not raise a substantial issue.

APPENDIX A: SUBSTANTIVE FILE DOCUMENTS

Goleta Against Drilling, *Appeal No. A-4-STB-13-0253*. December 2, 2013.

Isgro, Steve (Southern California Gas Company), *Detailed Discussion in Response to the Appeal from Coastal Permit Decision of Local Government*. January 22, 2014.

Isgro, Steve (Southern California Gas Company), *Waiver of the 49-Day Rule*. December 11, 2013.

Santa Barbara County, *Final Environmental Impact Report for the Southern California Gas Company La Goleta Storage Field Enhancement Project*, Santa Barbara County EIR No. 10EIR-00000-00001. May 2013.

Santa Barbara County Board of Supervisors, *Notice of Final Action*. November 13, 2013.

Santa Barbara County, *Staff Report for the Planning Commission Hearing*. May 29, 2013.

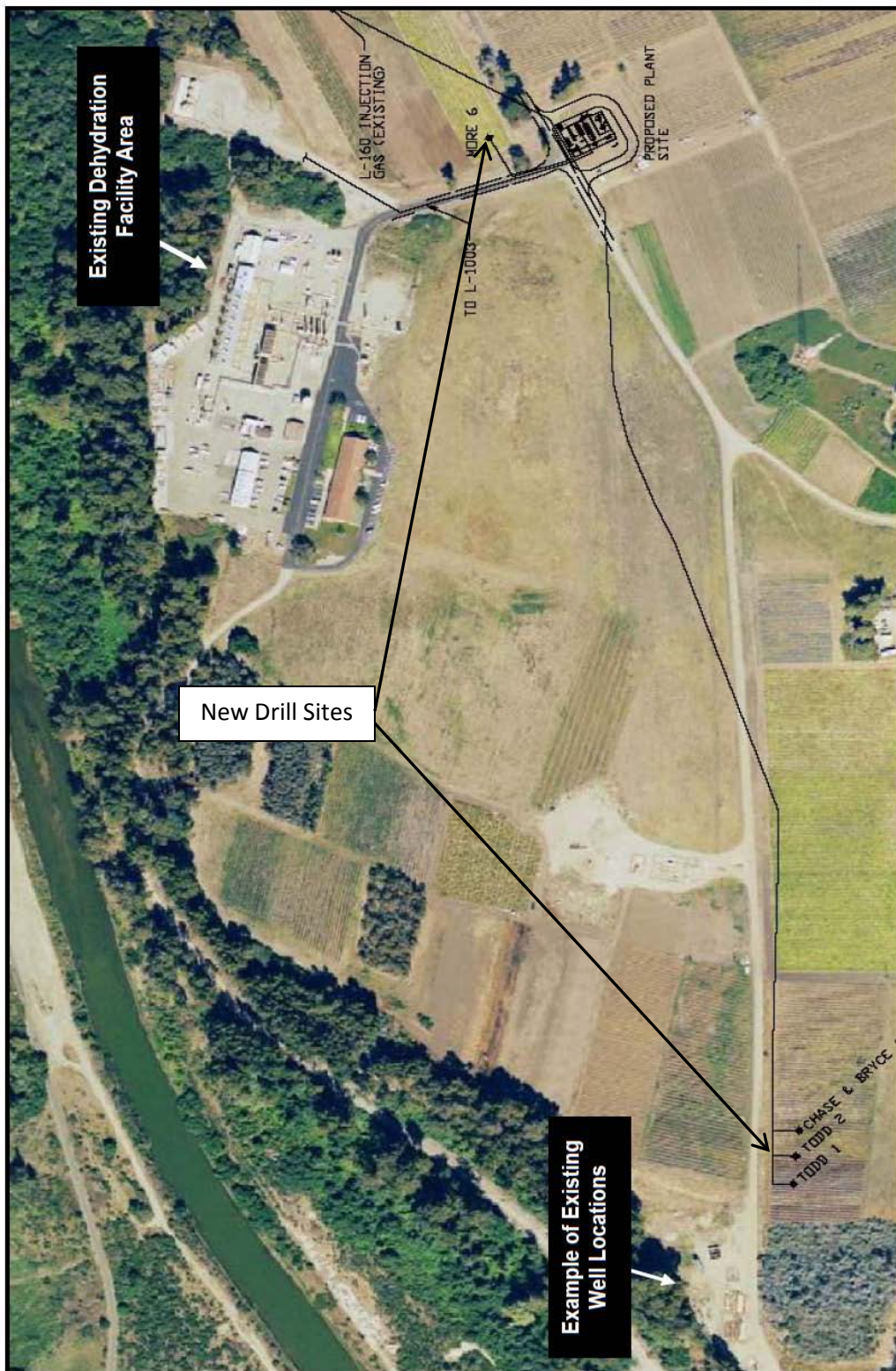
Turner, Jennifer (Rincon Associates, Inc.), *Memorandum on Vegetation Compliance Assessment for the Southern California Gas Company La Goleta Storage Facility, Goleta, Santa Barbara County, California*. August 29, 2013.

EXHIBIT 1: Site Location Map and Aerial Photograph of the Site



EXHIBIT 2: Aerial Photograph of La Goleta Gas Storage Facility

Proposed facilities are shown in black; well locations Todd 1, Todd 2, Chase & Bryce 3, and More 6, dehydration plant site, and pipeline route.



Received

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1801 FAX (805) 641-1732

DEC 02 2013

California Coastal Commission
South Central Coast District



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Goleta Against Drilling (GAD-NO), c/o Law Office of Marc Chytilo

Mailing Address: P.O. Box 92233

City: Santa Barbara

Zip Code: CA 93190

Phone: 805-682-0585

SECTION II. Decision Being Appealed

1. Name of local/port government: Santa Barbara County

2. Brief description of development being appealed:

Drilling of four exploration/production wells, installation of 2,800 linear feet of piping, construction of a gas dehydration unit and appurtenant facilities at the La Goleta Storage Field.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

1171 More Ranch Road in the south coast area, near Goleta Beach County Park, Santa Barbara County, CA.; Assessor's Parcel No. 071-210-001

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: _____

DATE FILED: _____

DISTRICT: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☒ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

6. Date of local government's decision: June 25, 2013

7. Local government's file number (if any): 08CDP-00000-00185

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Southern California Gas Company
La Goleta Storage Field
1171 More Ranch Road
Santa Barbara, CA 93111

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Please see Attached List

(2)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

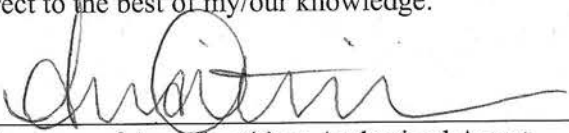
Please see attached letter setting forth the reasons for this appeal in detail. Briefly, the reasons for appeal include:

1. The Project is inconsistent with LCP visual resource protection policy
2. The Project is inconsistent with LCP agricultural resource protection policy
3. The Project is inconsistent with LCP development and hazards policy
4. The Project is inconsistent with LCP biological resource protection policy
5. The Project is inconsistent with Coastal Act and LCP coastal access and recreation policies
6. The Project is inconsistent with LCP cultural resource protection policy

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: December 2, 2013

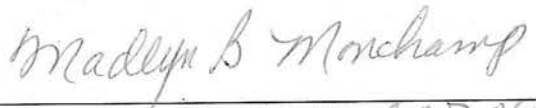
Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize

Ana Citrin, Law Office of Marc Chytilo

to act as my/our representative and to bind me/us in all matters concerning this appeal.



Signature of Appellant(s) 6AD-NO

Date: December 2, 2013

LAW OFFICE OF MARC CHYTILO

ENVIRONMENTAL LAW

December 2, 2013

Kate Huckelbridge
California Coastal Commission
South Central Coast District Office
89 South California Street, Suite 200
Ventura, CA 93001-2801

By hand delivery

RE: Appeal of Santa Barbara County Board of Supervisors' Approval of the Southern California Gas Company La Goleta Storage Field Enhancement Project, 08CDP-00000-00185

Dear Ms. Huckelbridge,

This letter, submitted on behalf of Goleta Against Drilling ("GAD-NO"), sets forth the reasons supporting our appeal of Santa Barbara County Board of Supervisors' June 25, 2013 approval of the Southern California Gas Company La Goleta Storage Field Enhancement Project, 08CDP-00000-00185 ("Project"). We may submit additional information to staff and/or the Commission to support this appeal request.

GAD-NO is a group of concerned citizens who are working to protect Goleta's coastal resources from the adverse effects of natural gas exploration and drilling at the La Goleta site. GAD-NO members and representatives participated throughout the County's environmental review and approval process for the Project, and objected in writing and orally to the amendment of Santa Barbara County's Local Coastal Program ("LCP") that allows exploration and production of natural gas at the La Goleta site, approved by the Coastal Commission on November 13, 2013.

For the reasons discussed below, the Project is *inconsistent* with the County's LCP and applicable policies of the Coastal Act with respect to the protection of coastal resources. This Project affects significant coastal resources, involves issues of public (as opposed to private) concern, and results in a high degree of inconsistency with the LCP. For these reasons, we believe that this appeal raises a substantial issue and we request that the Commission consider the Project on its merits.

1. Project Overview

The Project significantly expands industrial uses and development on the La Goleta site, which is currently used for natural gas storage and agriculture. The Project would authorize development including drilling and operation of natural gas wells for production, and the construction and operation of supporting equipment such as pipelines and processing facilities. Drilling equipment including a 172-foot drilling rig and smaller workover rig(s) would be used on the site.

The La Goleta site is a largely undeveloped 147-acre bluff-top open-space, located on a coastal marine terrace, immediately down-coast from and adjacent to Goleta County Beach Park which receives 1.5

million visitors each year. (Final Environmental Impact Report 10EIR-00000-00001 (“FEIR”), pp. 3-7, 4.14-1.) The site includes prime soils, Farmland of State Importance and Farmland of Unique Importance (FEIR pp. 4.2-2 – 4.2-3), and two-thirds of the site is currently farmed (FEIR p. 4.4-4). The Project site is bordered on the north by Atascadero Creek, the Atascadero Creek bike path (a Class I bike path also known as the Obern trail), and the Rancho Goleta Mobile Home Park. (FEIR p. 4.12-7.) Mapped ESHA, monarch butterfly sites, and wetlands all exist on the site. (Staff Report, p. 7.) The site is immediately above the Goleta Slough and near the confluence of Atascadero and Maria Ygnacio creeks. (See FEIR p. 3-7.)

2. The Project Is Inconsistent with LCP Visual Resource Protection Policy

Coastal Act section 30251, incorporated into the County’s LCP under LCP Policy 1-1, provides:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

LCP Policy 4-4 provides:

In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.

The 172-foot drilling rig is highly visible from Goleta Beach Pier, both during the day and at night (See FEIR Figures 4.1-12 and 4.1-14, Photo simulations of drilling rig from Goleta Beach Pier looking northeast), and would be equally visible from Goleta Beach Park itself to the approximately 1.5 million people visiting that park annually. The Atascadero Creek Bikeway (aka the Obern Trail) is a popular Class I bikeway that runs along the entire northern boundary of the Project site. The FEIR unfortunately includes no visual simulation of the Project from the Atascadero Creek Bikeway (FEIR Figure 4.1-2, Photo Simulation Locations), but would be highly visible from numerous points along the bike-path. The drilling rig is also highly visible from surrounding neighborhoods (see FEIR Figure 4.1-18, photo simulation of drilling rig from Patterson Road looking southwest) and may be visible from the University of California, Santa Barbara campus, which is located immediately up-coast from Goleta Beach Park. The drilling rig would also be visible from Highways 217 and 101, and from numerous public roads in the area.

Recent vegetation clearing onsite including the removal of mature trees along the northern property boundary (purportedly authorized by 08CDH-00000-00038, issued October 14, 2011) has exacerbated visual impacts of the Project from the North (Atascadero Creek bike path, La Goleta Mobile Home Park) by reducing vegetative screening along the site's northern and northwestern boundaries.

Despite generally understating impacts due to the lack of adequate photo simulations and accounting for recent vegetation clearance, the FEIR nonetheless concludes:

“Because of its visibility from public viewing points, including Goleta Beach and the ocean, and its incompatibility with the scenic character of the area, the drilling rig would create a significantly adverse aesthetic impact. Because of the size of the drilling rig, the requirement for night lighting, and the specific duration and location of the rig, as necessitated by the well drilling project, there is no means of mitigating this impact to below levels of significance, Class I (Impact Aest-1).”

(FEIR p. 4.1-2 (emphasis added)).

The Project, and in particular the 172-foot drilling rig, is not sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, or to be visually compatible with the character of surrounding areas. Accordingly, the Project conflicts with Coastal Act section 30251 which is incorporated into the County's LCP under LCP Policy 1-1. The Project also includes structures (in particular the 172-foot drilling rig) that are not in conformance with the scale and character of the existing community, in conflict with LCP Policy 4-4.

The “temporary” nature of the drilling rig is not sufficient to render the Project consistent with the County's LCP including Coastal Act section 30251 and LCP Policy 4-4. The 172-foot drilling rig would compromise numerous important public views, and the existing character of the area. Moreover, the “presence of a workover rig at the new well locations potentially could result in adverse visual impacts.” (FEIR p. 4.1-2.) Additionally, the drilling rig will be present on the site for a large portion of Phases I and II, and the Project conditions including Condition Special-Aest-3 (Removal of Drilling Equipment) does not guarantee that the rigs will not be present on the site for longer than anticipated, particularly in the event that the drilling phase(s) last for more years than anticipated. For these reasons, the Project conflicts with Coastal Act section 30251 and LCP Policy 4-4.

3. The Project Is Inconsistent with LCP Agricultural Resource Protection Policy

Coastal Act section 30241 and 30242, incorporated into the County's LCP under LCP Policy 1-1, provide:

30241: The maximum amount of prime agricultural land [as defined by Coastal Act section 30113 and Gov. Code section 51201] shall be maintained in agricultural production to assure

the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses . . .

30242: All other lands suitable for agricultural use shall not be converted to non-agricultural use unless: (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250¹. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

The Project site is adjacent to and functionally a part of the "Patterson Agricultural Block", one of only two blocks of urban farmland in the Eastern Goleta Valley. Class II prime soils are the most common soil class on site (FEIR p. 4.2-1) and the site includes Farmland of Statewide Importance, Farmland of Local Importance, and Farmland of Unique Importance (FEIR p. 4.2-3.) Two-thirds of the site is currently farmed. (FEIR p. 4.4-4.) The Project will permanently convert 2.5 acres of agricultural land designated as "Farmland of Local Importance" to non-agricultural use, and an additional 4.3 acres will be temporarily affected during construction. (FEIR p. 4.2-4.) The Project will remove 2.4 acres of mature plantings. (*Id.*)

The 2.5 acres of "Farmland of Local Importance" and the 2.4 acres of mature plantings appears to constitute prime agricultural land as defined by Coastal Act section 30113 and Gov. Code section 51201, and accordingly the Project conflicts with Coastal Act section 30241 because the Project includes no measures to maximize the amount of prime agricultural land maintained in agricultural production, or to minimize conflicts between agricultural and urban land uses. Even if the agricultural land affected by the Project is not "prime agricultural land", the Project is nonetheless inconsistent with Coastal Act section 30242. This inconsistency is due to several factors, including that locating a new hazardous industrial development adjacent to a vital urban agricultural area may compromise continued agricultural use on these surrounding lands, particularly in the event of an accident. The FEIR does not assess the Project's potential impacts on the continued agricultural viability of the Patterson Agricultural Block. The Project also fails to locate hazardous industrial development where it will not have significant adverse effects on coastal resources and away from existing developed areas. For these reasons, the Project is inconsistent with LCP agricultural resource protection policy.

4. The Project Is Inconsistent with LCP Development and Hazards Policy

¹ 30250: (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. . . . (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

Section 30253 of the Coastal Act, incorporated into the County's LCP under LCP Policy 1-1, requires that new development "[m]inimize risks to life and property in areas of high geologic, flood, and fire hazard", "[a]ssure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability . . ." and "[w]here appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses." LCP Policies 3-13, 3-14, and 3-17 protect against alteration of the existing landscape.

Facts included in the FEIR demonstrate the project's incompatibility with these policies. For example, the FEIR discloses that "[t]he project site is located within a seismically active region and is in direct proximity to the potentially active More Ranch Fault. Strong ground shaking from activity along any of a number of local faults has a high probability to occur at the project site during the operational life of the project." (FEIR p. 4.8-2.) The FEIR also explains that "[d]uring construction, earthwork activities would have the potential to create unstable earth conditions, such as unstable trench walls and differential settlement of trench backfill material. Although the slightly undulating terrain across the site is not susceptible to landsliding, the subject parcel is located along a coastal bluff, which maybe subject to slope failure" (FEIR p. 4.8-2).

Moreover, with respect to vibration, the FEIR states "[d]uring project construction activities, vibration from drilling rig equipment may cause a temporary increase in vibration levels. Drilling activities would be temporary, lasting approximately 92 days during Phase I and 68 days during Phase II, and would occur at least 600 feet from the nearest sensitive receptors." (FEIR p. 4.8-4.) And while the FEIR notes that CZO section 35-88.4 provides that vibrations shall not be perceptible at or beyond the property line (FEIR p. 4.11-3), the FEIR also includes numerous public comment letters from residents who live near the Project site, describing vibration that they experience currently from existing operations (*see e.g.* FEIR pp. 11.2-13, 11.2-31, 11.2-51, 11.2-65.) Increased vibration levels, associated noise impacts, and impacts from other hazards will similarly affect users of the Atascadero Creek bike path, and may affect the 1.5 million annual users of Goleta Beach Park, in addition to wildlife. The popular public recreational facilities and creek and slough habitats that surround the project site are special communities and visitor destination points that demand protection (Coastal Act section 30253 (e).)

Moreover, the LCP Amendment Staff Report (on page 9) acknowledges that each phase of development "has the potential to adversely impact the geologic stability of a site, contribute to flood or fire hazard, or significantly alter the existing landscape." County-approved conditions/mitigation measures do not adequately protect special communities and popular visitor destination points, and overall are not sufficient to achieve consistency with LCP development/hazards policy.

5. The Project Is Inconsistent with LCP Biological Resource Protection Policy

Santa Barbara County's LCP includes numerous policies protecting the biological resources on the

Project site including Mapped ESHA, monarch butterfly sites, wetlands, and numerous “special status” animal species that have the potential to occur onsite.

As acknowledged in the Staff Report for the recently approved LCP amendment (on page 7):

The[] activities [allowed by the proposed amendment] are likely to include surface disturbance, excavation, night-lighting, glare, noise, and dust that could result in direct or indirect impacts to biological resources (i.e., wildlife, vegetation, wetlands and ESHA). In addition, storm-water runoff or project-related activities could degrade the water quality of ground and/or surface waters in the project vicinity.

The CDP lacks adequate conditions/mitigation measures to ensure that the Project will not result in conflicts with the LCP’s biological resource protection policies.

For example, the Project fails to adequately protect Monarch butterflies, which are in a precipitous state of decline (“A new census found this winter’s population of North American monarch butterflies in Mexico was at the lowest level ever measured.”) (http://e360.yale.edu/feature/tracking_the_causes_of_sharp_decline_of_the_monarch_butterfly/2634) The Project also fails to protect the upland wildlife migration corridor observed on the property (*see* FEIR p. 4.4-3) and the great blue heron rookery located approximately 0.1 mile southwest of one of the new well sites (FEIR p. 4.4-5). Surveys for suitable habitat for vernal pool fairy shrimp were conducted during the dry season (August 10, 2010) when vernal pool indicator species were likely absent. (*See* FEIR p. 4.4-5.) Additionally, the FEIR acknowledges “Several studies have shown that migrating birds are affected by artificial light on buildings, and effects range from attraction to disorientation and alteration of flight patterns, and potentially, mortality [and despite] . . . a very brief time frame [for drill rig operations] potential impacts could occur.” (FEIR p. 4.4-6.) Condition Special-Aest-4 only applies to “permanent” night lighting, and does not include the night lighting associated with the drill rigs, which is required due to the Project’s proximity to the airport. Furthermore, the FEIR acknowledges “Noise and dust may create temporary disturbances to wildlife resulting in reduced foraging success. Impacts could be potentially significant.” (FEIR p. 4.4-6.) Condition Special-Bio-2 (relied on in the FEIR to reduce this impact to less than significant) merely requires that the applicant “ensure that equipment engines are the minimum practical size and the amount of heavy construction equipment operating simultaneously is minimized”. This condition is vague, unenforceable, and wholly insufficient to reduce impacts to wildlife from noise and dust to less than significant.

6. The Project is Inconsistent with Coastal Act and LCP Coastal Access and Recreation Policies

Section 30210 of the Coastal Act requires that “maximum access . . . 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.”

Section 30212 (and LCP Policy 7-2 and 7-3) requires that new development projects provide public access from the nearest public roadway to the shoreline and along the coast, unless certain factors apply.

The Project does not include easements dedicating vertical public access as required by Policy 7-2 nor lateral easements as required by Policy 7-3. LCP Policy 7-25 also independently requires trail easement dedication for any portion of the Coastal Trail identified on the County's Parks, Recreation, and Trails (PRT) Maps. Here, the County's PRT Map for the Goleta-Santa Barbara area clearly depicts a proposed off-road trail segment of the Coastal trail on the Project site extending along the entire bluff. (<http://www.sbcountyplanning.org/forms/maps/index.cfm?id=Comprehensive>.)

The Goleta Beach Park is the nearest coastal access point, and the Project is located at the extreme south-western corner of the subject parcel. The noise, light, vibrations and hazards have the potential to interfere with the public's right of access to the coast. (Pub. Res. Code § 30211). The Project proposes highly intense activities with impacts that are incompatible with the tranquil recreational and sensitive estuarine habitat that attracts recreationalists (i.e., birdwatchers) immediately below the proposed well sites. The western end of the project site is an upland area that supports the coastal recreational uses on the beach, creek and estuary below, and as such, should be reserved from development in accordance with Pub. Res. Code § 30223. In light of slant drilling technology, the well sites could be located elsewhere on the parcel without causing these conflicts with the California Coastal Act's public access and recreation policies.

7. The Project Is Inconsistent with LCP Cultural Resources Protection Policy

The Project is located immediately adjacent to the mouth of the Goleta Slough and in an area with an extraordinarily high density of prehistoric habitation. What is now the Goleta Slough and Santa Barbara Airport was a natural deepwater inlet and the Project's bluffs were the only natural lookout over the entry to the interior waters. There is no reference in the CDP or its environmental review documents to even a site survey or any identification of potential cultural resources on the site, and thus no consideration of LCP requirements of avoidance (Policy 10-2), Native American consultation (Policy 10-5) or impact mitigation (Policy 10-3). The Project Description is vague and cursory, masking impacts and policy inconsistencies. For example, the CDP and the County's associated documents fail to identify the depth of excavations necessary for proposed pipelines servicing the new wells or the excavation depth and compacting requirements for soils underlying the proposed new plant site). It is evident that the Project will involve digging below the depths of soils potentially disturbed by past agricultural activities, and thus is likely to impact undisturbed soil horizons that could contain intact cultural resources.

8. Conclusion

For reasons discussed above, the Project is inconsistent with the County's LCP and applicable provisions of the Coastal Act. Moreover, the small amount of natural gas and increment of additional

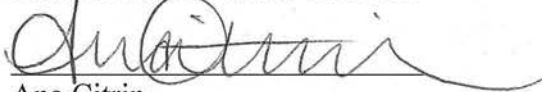
Ms. Hucklebridge
December 2, 2013
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storage is simply not worth the sustained impacts to coastal views from a popular public beach and bike path, loss of agricultural land and active agriculture, threats to ESH, impacts to recreational and cultural resources and risks to the geologic integrity of the site, as well as increased public hazards.

Accordingly, we respectfully request that this appeal be considered on its merits, and that the Project be denied.

Sincerely,

LAW OFFICE OF MARC CHYTILO

A handwritten signature in dark ink, appearing to read 'Ana Citrin', written over a horizontal line.

Ana Citrin
For GAD-NO

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Santa Barbara, CA 93140

Heal the Ocean
P O Box 90106
Santa Barbara, CA 93190

SB Channelkeeper
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Santa Barbara, CA 93103

Montecito County Water District
583 San Ysidro Road
Santa Barbara, CA 93108-2124

The Independent
122 West Figuera Street
Santa Barbara, CA 93101

Montecito Journal
1122 Coast Village Circle
Montecito, CA 93108-1711

Santa Barbara News Press
P O Box 1359
Santa Barbara, CA 93102-1359

Environmental Defense Center
906 Garden Street, Suite 2
Santa Barbara, CA 93101

Summerland Citizen's Assoc.
Mary Holzhauer
P O Box 508
Summerland, CA 93067

GAD-NO Appeal of Santa Barbara County Board of Supervisors Approval of Southern California Company La Goleta Storage Field Enhancement Project, 08CDP-00000-00185

Attachment to Appeal Form Section III.b, Identification of Other Interested Persons

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SB County Energy Coalition
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State Lands Commission
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Qun-tan Shup
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Owl Clan
Dr. Kote & Lin A-Lul'Koy Loth
48825 Sapaque Road Bradley, CA 93426

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Environmental Studies Program
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Keith Baarsch, Manager
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South Coast Business Times
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Lake Los Carneros Advsy Comm
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Isla Vista Association
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GAD-NO Appeal of Santa Barbara County Board of Supervisors Approval of Southern California Company La Goleta Storage Field Enhancement Project, 08CDP-00000-00185

Attachment to Appeal Form Section III.b, Identification of Other Interested Persons

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Sunrise Village HOA
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Office of Government Relations
Gerry Hess, Director
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Storage Operations Manager
Southern California Gas Company
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Goleta, CA 93111

Tim Mahoney
Public Affairs Manager
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Southern California Gas Company
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Patterson Avenue Neighborhood Assoc.
Jack Hawkshurst
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Goleta, CA 93117

Caltrans
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San Luis Obispo, CA 93401

CA Dept of Parks & Recreation
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Ventura, CA 93001-3744

California Public Utilities Comm
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Central Coast Region
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Dept of Fish and Game
Environmental Services
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Ojai, CA 93024

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Attachment to Appeal Form Section III.b, Identification of Other Interested Persons

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Fran & Jeff Bryan, Space 10
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Kitty & Jimmy Christen, Space 2
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Evelyn Clements, Space 7
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Mrs. Trish Craig, Space 90
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Mr. & Mrs. David DeHeras, Space 85
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Suzanne Geraghty, Space 36
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Desire R. Roche, Space 33
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Bill & Sue Spellins, Space 30
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Santa Barbara, CA 93111

Fred & Beverly Walters, Space 199
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Santa Barbara, CA 93111

EXHIBIT 4

County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director

NOTICE OF FINAL ACTION

November 13, 2013

On June 25, 2013, Santa Barbara County took final action on the appealable development described below:

Project Applicant and Property Owner:

Southern California Gas Company
La Goleta Storage Field
1171 More Ranch Road
Santa Barbara, Ca 93111

Project Description: County Case No.: 08CDP-00000-00185. Drilling of four exploration/production wells, installation of 2,800 linear feet of six-inch diameter underground piping, and construction of a gas dehydration unit and other appurtenant facilities at the La Goleta Storage Field. The wells will remove native gas from the target zone and will be converted to injection/withdrawal wells once the native gas is removed. Native gas will be routed through the new pipeline to the new dehydration unit prior to connecting to existing gas transmission and distribution pipelines for regional distribution. The project will expand the storage capacity of the La Goleta Field by 3 to 5 billion cubic feet (bcf) of gas; current storage capacity is 21.5 bcf. The project includes an amendment to the Coastal Zoning Ordinance which was submitted separately for Coastal Commission certification. At its November 13, 2013 meeting, the Coastal Commission certified the CZO amendment as submitted.

Location: The project involves Assessor's Parcel Number 071-210-001 located at 1171 More Ranch Road in the south coast area, near Goleta Beach County Park, Santa Barbara County, California.

The receipt of this letter and the attached materials by the Coastal Commission begins the 10 working-day appeal period during which the County's decision may be appealed to the Coastal Commission. Appeals must be in writing to the appropriate Coastal Commission District Office.

Please contact Nancy Minick, the case planner at (805) 884-8050; nminick@countyofsb.org if you have any questions regarding the County's action or this notice.


Nancy Minick, Project Planner

Nov. 13, 2013
Date

Attachments:

- A. Coastal Development Permit 08CDP-00000-00185
- B. Findings
- C. Conditions of Approval

cc: Steve Isgro, Southern California Gas Company
Ed Wiegman, Southern California Gas Company
Alison Dettmer, Calif. Coastal Commission, San Francisco office
Kate Huckelbridge, Calif. Coastal Commission, San Francisco office

Attachment A: Coastal Development Permit 08CDP-00000-00185



COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 08CDP-00000-00185

Project Name: Southern California Gas Company La Goleta Storage Field Enhancement Project

Project Address: 1171 More Ranch Road

Assessor's Parcel No.: 071-210-001

Applicant Name: Southern California Gas Company

The Santa Barbara County Board of Supervisors hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Date of Approval: JUNE 25, 2013

Associated Case Number(s): 12DVP-00000-00056 and 08ORD-00000-00018

Project Description Summary: Drill four gas wells to explore/develop native natural gas at the La Goleta Storage Field for the purpose of expanding the natural gas storage capacity at the site.

Project Specific Conditions: See Attachment A.

Permit Compliance Case: Yes X No;

Permit Compliance Case No.: N/A

Appeals: The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission. Therefore, a fee is not required to file an appeal of this Coastal Development Permit.

Terms of Permit Issuance:

1. Work Prohibited Prior to Permit Issuance. No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit).

Warning! This is not a Building/Grading Permit.

2. Date of Permit Issuance. This Permit shall be deemed effective and issued upon the effective date of Final Development Plan 12RVP-00000-00056, provided an appeal of this approval has not been filed.

3. Time Limit. The approval of this Coastal Development Permit shall be valid for one year from the effective date of Final Development Plan 12RVP-00000-00056. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

NOTE: Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

Owner/Applicant Acknowledgement: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all terms and conditions thereof.

Steve Isgro	<i>steve Isgro</i>	/ 06/26/2013
Print Name	Signature	Date

Planning and Development Department Approval by:

NANCY MINICK	<i>Nancy Minick</i>	/ 7-2-2013
Print Name	Signature	Date

Planning and Development Department Issuance by:

		/
Print Name	Signature	Date

ATTACHMENT B: Findings

1.0 CEQA FINDINGS (Pursuant to PRC §21081 and CEQA Guidelines §15090 and §15091)

1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report 10EIR-00000-00001 dated May 2013 (Final EIR) was presented to the Board of Supervisors and all voting members of the Board of Supervisors have reviewed and considered the information contained in the Final EIR 10EIR-00000-00001 and its appendices prior to approving the project. In addition, all voting members of the Board of Supervisors have reviewed and considered testimony and additional information presented at or prior to public hearings on the project. The Final EIR reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this proposal.

1.2 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the Final EIR 10EIR-00000-00001 constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

1.4 UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

The Final EIR (10EIR-00000-00001) for the Southern California Gas Company La Goleta Storage Field Enhancement Project (SoCal Gas project) identifies two significant environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). These impacts are related to the visibility of the temporary drilling rig (EIR Impact Aest-1) and its FAA-required lighting (EIR Impact Aest-3) from public viewing areas, including Goleta Beach County Park. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein (Finding 1.8, below). For each of these Class I impacts identified by the Final EIR 10EIR-00000-00001, no feasible changes or alterations are available to avoid or substantially lessen these significant environmental effects. The Board of Supervisors finds that a feasible mitigation measure (MM Special Aest-3, Condition 5) has been adopted which requires that the drilling rig be removed from the site within 30 days of completion of well drilling and that this measure will not fully mitigate these significant adverse impacts. The drilling rig height (~172 feet) is required to accomplish the proposed well drilling and the FAA-required lighting must be placed at the highest point of the drilling rig. The Board of Supervisors also finds that no other feasible measures are known that would further reduce these impacts. Thus, the Board of Supervisors finds that the significant and unavoidable adverse impacts associated with the SoCal Gas project are mitigated to the maximum extent feasible.

1.5 FEASIBLE MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL

The EIR identified significant impacts in most issue areas that would be reduced to less than significant levels with implementation of specific mitigation measures. These Class II impacts

and adopted mitigation measures/conditions of approval are summarized below. The impacts and mitigation measures are more fully described in the respective resource area discussions in the Final EIR and the full text of each condition of approval is provided in Attachment B to the May 29, 2013 Planning Commission staff report.

Class II Impacts

Long-term visual impacts of gas wells and dehydration unit.

Impact Aest-2

Construction air quality impacts due to internal combustion engines of construction machinery, commuter vehicles, and fugitive dust.

Impact AQ-2

Disturbance to wetland area.

Impact Bio-1

Impacts to native vegetation.

Impact Bio-2

Impacts to nesting and foraging special-status birds.

Impact Bio-3

Impacts to Tidewater goby from sediment in runoff.

Impact Bio-4

Impacts to wildlife from lighting, noise and dust.

Impact Bio-5

Mitigation Measures

Special-Aest-1: Landscape Plan for screening facilities with landscaping.

Special-Aest-2: Equipment painted in non-reflective earth tones.

Special-Aest-4: Low-impact temporary and permanent night lighting

Conditions 3, 4, 6

Special-AQ-1: APCD-compliant dust control measures.

Special-AQ-2: APCD-compliant emission control measures.

Conditions 7, 8

Bio-13a: Habitat Protection Plan to minimize disturbance to wetland.

Condition 9

Bio-13a: Habitat Protection Plan to minimize disturbance to wetland vegetation.

Condition 9

Special-Bio-1: Construction buffer zones, avoidance of breeding season.

Condition 10

Special-Bio-3: Best management practices to minimize sediment discharge.

Special-Geo-4: Erosion and sediment control plan.

WatConv-05, NPDES-25, and Special-Wat-1 to Special-Wat-7 (see below for *Impact Wat-1*)

Conditions 12, 21, 31-37

Special-Aest-4: Low-impact temporary and permanent night lighting.

Special-Aq-1: Construction dust control measures.

Special-Bio-2: Minimum size of construction equipment engines; minimize simultaneous operation of equipment.

Conditions 6, 7, 11

Class II Impacts

Possible disruption of or adverse effect on archaeological sites; disruption or removal of human remains; increased potential for trespassing, vandalizing, or sabotaging archaeological resources; and ground disturbances in an area with potential cultural resource sensitivity.

Impact Cul-1

Potential fire hazard due to extraction, processing and distribution of natural gas.

Impact Fire-1

Potential to create unstable earth conditions or cause slope failure.

Impact Geo-1

Potential erosion and sedimentation due to surface disturbance.

Impact Geo-2

Construction noise within 1,600 feet of sensitive receptors.

Impact Noise-2

Mitigation Measures

Special-Cul-1: Fencing of exclusion areas during construction.

Special-Cul-2: Worker orientation meeting.

Special-Cul-3: Construction monitoring by Native American consultant and archeologist.

Special-Cul-4: Stop work in case of archeological discovery.

Conditions 13-16

Special-Fire-1: Update *Injury and Illness Prevention Program, Emergency Action and Fire Protection Plan* and *Emergency Response Plan* to include new development.

Condition 17

Special-Geo-1: Minimum 32-foot setback from bluff.

Special-Geo-2: Building and grading plans to incorporate the recommendations of geotechnical reports.

Conditions 18, 19

Special-Geo-3: Excavation limited to dry season.

Special-Geo-4: Implement Erosion and Sediment Control Plan.

Conditions 20, 21

Special-Noise-1: Limited construction hours.

Special-Noise-2: Soundproofing and silencers on construction equipment.

Special-Noise-3: Shielding on permanent stationary equipment.

Special-Noise-4: Implementation of Construction Noise Reduction Plan (CNRP) and monitoring. Noise barrier and quiet mode work required at drilling rig. Stop work and further noise reduction if noise levels exceed criteria.

Special-Noise-5: Noise barriers, noise controls, noise monitoring.

Conditions 22-26

Class II Impacts

Continuous drilling noise within 1,600 feet of sensitive receptors

Impact Noise-3

Solid waste disposal, drill cuttings.

Impact Pub-1

Construction traffic impacts to circulation.

Impact Traf-1

Wear and tear on public and private roads.

Impact Traf-2

Intermittent obstruction of traffic on More Ranch Road – crane assisted transit of large loads.

Impact Traf-3

Increased traffic hazards and limited visibility due to large loads and crane use.

Impact Traf-4

Construction traffic interference with access to residences and floral businesses on More Ranch Road.

Impact Traf-5

Mitigation Measures

Special-Noise-2: Soundproofing and silencers on construction equipment.

Special-Noise-4: Implementation of Construction Noise Reduction Plan (CNRP) and monitoring. Noise barrier and quiet mode work required at drilling rig. Stop work and further noise reduction if noise levels exceed criteria.

Conditions 23, 25

Special-Pub-1: Implement a Solid Waste Management Program to recycle waste where possible and properly dispose of non-recyclables.

Condition 27

Traf-1: Implementation of Traffic Management Plan (TMP) – Construction traffic limited to off-peak hours.

Condition 28

Traf-1: Implementation of TMP – Maintenance and restoration of public and private roads.

Condition 28

Traf-1: Implementation of TMP – Restricted hours of crane use and flagmen to direct traffic, safety briefings for project-related drivers, temporary caution signs.

Condition 28

Traf-1: Implementation of TMP – Traffic control using flagmen, safety briefings for project-related drivers, temporary caution signs.

Condition 28

Traf-1: Implementation of TMP – Notice to affected residents and businesses of construction traffic and delivery timing. Coordination of scheduling with affected floral businesses.

Condition 28

Class II Impacts

Discharge of sediment into surface waters or alteration of surface water quality.

Impact Wat-1

Mitigation Measures

WatConv-05: Containment of construction wash water.

NPDES-25: Enclosures, secondary containment, and impervious surfaces to prevent spills of materials stored outdoors.

Special-Wat-1: Construction General Permit of the National Pollutant Discharge Elimination System or implementation of Erosion and Sediment Control plan.

Special-Wat-2: Disposal of liquid and solid wastes in accordance with DOGGR regulations.

Special-Wat-3: Update existing facility Spill Prevention Control and Countermeasure Plan.

Special-Wat-4: Implementation of Best Management Practices to prevent entry of pollutants into storm drains.

Special-Wat-5: Materials handling in manner to minimize storm water contamination.

Special-Wat-6: Trash container requirements.

Special-Wat-7: Loading dock design criteria to prevent storm water contamination.

Conditions 29-37

Introduction of storm water pollutants (e.g., oil, fuels, grease, drilling fluids, coatings, debris, and coolants) into groundwater or surface water.

Impact Wat-2

WatConv-05, NPDES-25, and Special-Wat-1 to Special-Wat-7 (see above)

Conditions 29-37

Class III impacts are also identified in the EIR and summarized in Table 2.4-3 of the EIR Executive Summary. These impacts are adverse but not significant according to the County's adopted significance thresholds and thus do not require additional mitigation pursuant to CEQA. However, noise from the new dehydration plant (EIR Impact Noise-1) could cause adverse impacts during operations and noise from the drilling rig could cause adverse impacts during 24-hour drilling activities, especially during the quietest times of the night. Mitigation measures Special-Noise-1, -2, and -3 have been adopted as conditions of approval (Conditions 21, 22, and 23) to mitigate these adverse impacts to the maximum extent feasible.

Potential public safety risks are below the County's thresholds of significance and are classified as Class III impacts for the gas storage expansion project, as discussed in the project EIR, Section 4.9. Additional mitigation measures have not been identified that would further reduce public safety risks and that are not already incorporated into the project design. Based on the foregoing, the Board of Supervisors finds that all feasible mitigation measures have been adopted as conditions of approval and that the adverse effects of the SoCal Gas storage expansion project will be mitigated to the maximum extent feasible.

1.6 FINDING THAT MITIGATION OF CERTAIN IMPACTS IS WITHIN THE RESPONSIBILITY AND JURISDICTION OF ANOTHER PUBLIC AGENCY

Changes or alterations to the project which could avoid or substantially lessen the following

significant environmental impacts have been adopted as conditions of approval and County departments will be responsible for monitoring compliance with these conditions of approval. Responsibility for monitoring and enforcement of certain mitigation measures will be shared with other agencies that have similar oversight authority. These include: (1) the California Public Utilities Commission for safety measures, including pipeline inspection and maintenance; (2) the California Department of Conservation, Division of Oil Gas and Geothermal Resources to monitor and enforce safe well drilling and completion practices and proper well abandonment; and (3) the Santa Barbara County Air Pollution Control District for dust control and monitoring and enforcement of limits on criteria pollutant emissions. Therefore, this finding is not required for the SoCal Gas project.

1.7 IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE

Public agencies may not approve projects as proposed if “feasible” alternatives or mitigation measures would substantially lessen the significant environmental effects, pursuant to the California Public Resources Code §21002. The Board of Supervisors finds that no mitigation measures identified in the Final EIR are infeasible and all recommended mitigation measures from the Final EIR have been adopted as conditions of approval.

The Final EIR (10EIR-00000-00001) considered the No Project alternative, a No Amendment to the Zoning Ordinance alternative, an offsite drilling location alternative, potential offsite storage location alternative, alternative sites within the project site for the dehydration plant and well drilling, a reduced project (reduced number of wells), and use of a smaller drilling rig. The Board of Supervisors has declined to adopt any of these alternatives, as discussed below.

NO PROJECT. With the No Project Alternative, the new wells would not be drilled, the gas storage capacity would not be increased, and no additional supplies of natural gas would be produced into the local system. No zoning ordinance amendment would be adopted. SoCal Gas’s customers would not benefit from their 50% share of the value of the natural gas reserves, or in the value of the expanded storage capacity. Implementation of the No Project alternative would eliminate the significant and unmitigable visual impacts of the drilling rig and the significant but mitigable to less than significant impacts in other resource areas, as well as the beneficial effect of providing increased local gas storage capacity. Adoption of the No Project alternative would not eliminate the existing gas storage operations which include the presence of a workover drilling rig from time to time and slightly lower risks to public safety. Because the No Project alternative would not achieve any of the project objectives, the Board of Supervisors finds that this alternative is not feasible and declines to adopt it.

NO AMENDMENT TO ZONING ORDINANCE. If the amendments to the Coastal Zoning Ordinance were not adopted to allow for the project at the La Goleta site, the proposed project could not be approved. A similar project potentially could be approved at an alternative location in a different zone district in which natural gas exploration and production is allowed. The EIR identified that such sites are limited and use of them likely would result in greater environmental impacts than the proposed project, as discussed for the “Onshore Drilling Sites Outside the La Goleta Storage Facility” alternative below, which discussion is incorporated herein by reference. This No Amendment alternative could achieve some of the project objectives if a suitable location for drilling is identified. However, it is likely that development of such site would involve greater expense to ratepayers and longer drilling duration, and would not substantially lessen significant environmental impacts. Therefore, the Board of Supervisors finds that this alternative is not feasible and declines to adopt it.

ONSHORE DRILLING SITES OUTSIDE THE LA GOLETA STORAGE FACILITY. This alternative would include the same components as the proposed project (drilling rig, well pads, dehydration plant, and pipelines). However, drilling would be prolonged as drilling distances would be greater to reach the target reservoirs. In addition, a much longer pipeline would be required from the drilling site to the storage facility and it likely would pass through residential areas. Construction impacts associated with this alternative would be greater than for the proposed project. The Class I impacts of the drilling rig likely would remain Class I due to visibility from public areas. This alternative could achieve some of the project objectives if a suitable location for drilling is identified, but it would not substantially lessen significant environmental impacts. Therefore, the Board of Supervisors finds this alternative is not feasible and declines to adopt it.

OTHER SOCAL GAS STORAGE FIELDS. Three other storage fields are used by SoCal Gas to store and withdraw gas. Two of these fields do not have known undeveloped gas reservoirs that could be depleted and converted to storage. The third field (Aliso Canyon) could provide a relatively small amount of additional storage capacity (~0.5 billion cubic feet), well below the estimated storage capacity of the La Goleta target reservoirs (3-5 billion cubic feet). Furthermore, development of additional storage capacity at either site would not preclude expansion of the other storage field. Significant impacts may not be substantially lessened with implementation of this alternative at Aliso Canyon because, depending on where the drillsites would be located within that storage facility site, the drilling rig and safety lighting could be visible from residential and public areas. In addition, this alternative would not meet most of the project objectives. Therefore the Board of Supervisors finds that this alternative is not feasible and declines to adopt it.

ALTERNATIVE SITES WITHIN THE LA GOLETA STORAGE FACILITY SITE. The EIR examined three areas within the La Goleta site for well drilling. All project components, including the Coastal Zoning Ordinance amendments, would be the same as for the proposed project. The three alternative areas for the well pads and well drilling are the existing compressor area, the proposed dehydration plant site, and the proposed southwestern drillsite with the dehydration plant site located about 400 feet east of this consolidated drillsite. These alternatives likely would achieve the project objectives, but would not substantially lessen significant impacts, as noted below:

Compressor Area: This alternative would locate the well drilling about 800 feet closer to the Rancho Goleta Mobile Home Park and decrease the distance to the Monarch butterfly ESH to about 300 feet.

Dehydration Area: The drilling equipment would be about 500 feet closer to the residential area at the entrance to More Ranch Road.

Consolidated Drilling and Gas Processing (Dehydration) Area: The drilling equipment would be located farther from the More Ranch Road area (Caird Barn) and would reduce risk and noise impacts to areas east of the project site. However, this alternative has the potential to expose more people in the event of a failure of the gas condensate vessel, though overall risk would remain low and well below the County's risk threshold.

These alternative project layouts would meet the project objectives, but would not substantially lessen significant environmental impacts and could increase public exposure to risk, though overall risks to public safety risk would remain less than significant. Based on the foregoing, the Board of Supervisors finds that these alternative sites are not feasible and declines to adopt any of them.

ALTERNATIVE PROJECT DESIGN. The EIR identified two alternative project designs, *Reduced Number of Wells* and *Smaller Drilling Rig*. All other project components would be the same for these alternatives, including the Coastal Zoning Ordinance amendments. These alternatives may achieve some of the project objectives, but over a longer period of time and neither would substantially lessen significant environmental impacts of the proposed project. A smaller drilling rig potentially would be visible from Goleta Beach County Park and would operate 24 hours per day until drilling is completed. Because these alternatives would not substantially lessen significant environmental impacts and would likely increase the duration of the Class I visual impacts, the Board of Supervisors finds that they are not feasible and declines to adopt either of them.

1.8 STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR 10EIR-00000-00001 for the SoCal Gas project identifies significant unavoidable impacts to aesthetic resources due to the temporary presence of a 172-foot drilling rig and attendant FAA-required lighting as significant adverse environmental effects which are considered unavoidable. The Board of Supervisors therefore makes the following Statement of Overriding Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully mitigated. With respect to each of the environmental effects of the project listed below, the Board of Supervisors finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to lessen or avoid the significant effects. Having balanced these benefits against the significant and unavoidable environmental impacts of the project, and pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, the Board of Supervisors hereby determines that these significant and unavoidable environmental impacts are acceptable due to these overriding considerations. This statement is supported by substantial evidence in the record, the final EIR, the staff report(s) and analyses, and oral and written testimony.

Beneficial Impact – Additional Local Gas Storage Capacity

The EIR identified one beneficial impact to public facilities of the SoCal Gas project (EIR Impact Pub-5): an estimated 3 to 5 billion cubic feet of natural gas storage would help provide for future increases in natural gas consumption in SoCal Gas's service territory, which includes Santa Barbara County. The additional storage capacity will help meet regional demand and will increase local supplies and benefit residential, commercial and other customers in the event of a regional emergency.

Economic Benefit – Reduced Rates and Profit-Sharing

SoCal Gas ratepayers will benefit from the sale of the locally produced natural gas and from reduced rates that result from the increased storage capacity. SoCal Gas will be able to purchase and store more gas when prices and seasonal demand are lower and provide that gas to rate-payers at a lower cost when prices and demand are higher. The California Public Utilities Commission (CPUC) authorized (Decision 06-06-065) SoCal Gas to explore and produce native natural gas and to use the known native gas reservoir to provide storage service to its customers. This Decision sets forth the financial sharing mechanism between SoCal Gas's shareholders and rate-payers for costs and revenues associated with exploration and production of native gas, and from the sale of storage services from the new reservoir at the La Goleta site.

Economic Benefit – Addition of Temporary Construction and Drilling Jobs:

The project would provide temporary work to about 50-75 contractors during construction of the project and drilling of the wells for grading, installation of pipelines and equipment, landscaping,

and drilling of the wells around the clock. These jobs will result in indirect benefits to local businesses through individual employee expenditures into the economy.

Significant and Unavoidable Impacts are Temporary

The drilling rig and its attendant FAA-required lighting will be onsite for approximately 89 days during the first phase/year of the project and will be moved offsite until the final phase of the project. This final well drilling phase will commence approximately 10 to 12 months after the completion of the first phase of well drilling and construction, which will require approximately 290 days. The second phase of well drilling will take about 68 days and upon completion, the drilling rig will be removed from the site. The drilling rig thus will be onsite for a total of 5 to 6 months to complete all four new wells. When the drilling rig is not onsite between the first and second well drilling phases, the significant adverse aesthetic impact identified in the Final EIR will not be occurring. Similarly, once all four wells are completed, the drilling will be permanently removed from the site and the significant impact will no longer occur.

1.9 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 ARTICLE II COASTAL ZONING ORDINANCE FINDINGS REQUIRED FOR APPROVAL OF AMENDMENTS

In compliance with Section 35-180.6, Findings Required for Approval of Rezone or Ordinance Amendment, of Article II, Chapter 35 of the Santa Barbara County Code (Coastal Zoning Ordinance), the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to the County Coastal Zoning Ordinance, and the Board of Supervisors shall make the following findings in order to approve a text amendment to the County's Coastal Zoning Ordinance:

2.1.a The request is in the interests of the general community welfare.

The Coastal Zoning Ordinance (CZO) amendment is in the interests of the general community welfare because it will provide for a long-term increase in the reliability and availability of natural gas to help meet the local and regional demand for natural gas within the Southern California Gas Company's (SoCal Gas) service territory, including Santa Barbara County. The additional gas storage capacity will help moderate fluctuations in gas prices for SoCal Gas customers pricing because it will allow SoCal Gas to buy more gas when demand and prices are lower and make the gas available for use by customers when demand is higher. Expanding the capacity of the La Goleta storage facility will enable SoCal Gas to rely more on local withdrawal than on importing natural gas to meet the demands of residential, commercial and industrial customers in the region. In addition, until the natural gas reservoir is depleted, ratepayers will also benefit from the production of the native natural gas.

The California Public Utilities Commission has authorized SoCal Gas to explore for and produce native natural gas from reservoirs at or adjacent to its existing storage fields. CPUC Decision 06-06-065 also authorized SoCal Gas to utilize the known native gas reservoir at its La Goleta field to provide storage service to its customers. The existing language in the CZO regarding permitted uses at the La Goleta storage facility does not expressly allow for exploration and production of native natural gas. The proposed CZO amendment provides for implementation of the CPUC's authorization of exploration and production of native natural gas in a manner consistent with the intent and other provisions of the CZO which specifically address the La Goleta storage facility.

Based on the foregoing, the Board of Supervisors finds that the proposed amendments to Article II, Chapter 35 of the Santa Barbara County Code are in the interests of the general community welfare.

2.1.b The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws and this Article.

Adoption of the proposed Coastal Zoning Ordinance amendments is consistent with the Comprehensive Plan, Coastal Land Use Plan, and Goleta Community Plan, as discussed in Section 6.2 of the May 29, 2013 Planning Commission staff report, which discussion is incorporated herein by reference. The proposed amendments are consistent with the unaltered portions of the CZO and conform to the land use designation (UT – Public Utility) for the site in the Coastal Land Use Plan. Adoption of the proposed CZO amendments is consistent with State planning and zoning laws in that it will facilitate a Decision by the California Public Utilities Commission to allow for exploration and production of native natural gas, as discussed above. Based on the foregoing, the Board of Supervisors finds that the proposed amendments to Article II, Chapter 35 of the Santa Barbara County Code are consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws and Article II, Chapter 35 of the Santa Barbara County Code.

2.1.c The request is consistent with good zoning and planning practices.

The proposed Coastal Zoning Ordinance amendments are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment, public safety, and community values. The amendments are concise and limited to the PU zone district and allow for exploration and production of native natural gas by a public utility company only within the PU zone district. The amendments allow SoCal Gas, a public utility company, to exercise the California Public Utilities Commission's authorization to explore for and produce native gas in order to expand storage capacity at or near existing storage fields consistent with current requirements for permit processing and environmental review. As discussed above, the amendments are consistent with the County's Comprehensive Plan, including the certified Coastal Land Use Plan and Goleta Community Plan. Therefore, the Board of Supervisors finds that the requested amendments are consistent with good zoning and planning practices.

2.2 COASTAL DEVELOPMENT PERMIT FINDINGS

2.2.1 A. Finding required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

The Board of Supervisors finds that adequate public services and resources are available

to serve the proposed development based on the information in the project EIR (10EIR-00000-00001) and the analysis provided in the Planning Commission staff report dated May 29, 2013, including the discussion and finding that the project is consistent with Coastal Land Use Plan Policy 2-6, which discussion and findings are included herein by reference.

2.2.2 E. Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission. In compliance with Section 35-169.5.3 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the review authority shall first make all of the following findings:

1. The development conforms:

a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;

The Board of Supervisors finds that the proposed development conforms to the provisions of the Comprehensive Plan, including the Coastal Land Use Plan, as discussed in Section 6.2 of the May 29, 2013 Planning Commission staff report and which discussion is incorporated herein by reference.

b. The applicable provisions of this Article or the project fall within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).

Not applicable.

2. The development is located on a legally created lot.

A discretionary permit, 09DVP-00000-00012, was issued for the La Goleta Storage Field in May 2009. Therefore, the Board of Supervisors finds that the development is located on a legally created lot.

3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

The Board of Supervisors finds that the subject property and development is in compliance with the provisions of Article II as described above and discussed in Section 6.3 of the May 29, 2013 Planning Commission staff report, which discussion is incorporated herein by reference.

4. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

Certain public views will be temporarily affected by the presence of the drilling rig. Once the rig is removed from the site, the significant impact will be eliminated. Therefore, the Board of Supervisors finds that no public views from any public road or from a public recreation area to, and along the coast will be significantly obstructed by permanent project facilities, as discussed in the project EIR (10EIR-00000-00001), Section 4.1, which discussion is incorporated herein by reference.

5. The proposed development will be compatible with the established physical scale of the area.

The new dehydration plant and well pads will conform to the scale and character of the surrounding area. The new gas pipeline will be buried, the well pads will not be visible during operations and the dehydration plant will be screened from views from More Ranch Road, (a private road) and neighboring agricultural and residential development to the east of the subject parcel. The new structures will be of the same scale and nature as existing facilities currently used for gas storage on the site, and with existing radio towers and agricultural structures in the area. Therefore, the project will be compatible with the established physical scale of the area.

6. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The project is consistent with Coastal Access and Recreation Policies 7.2 and 7.3 of the County's Comprehensive Plan, Coastal Land Use Plan, as discussed in Section 6.2 of the May 29, 2013 Planning Commission staff report. Based on that discussion, which is incorporated herein by reference, the Board of Supervisors finds that the development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

2.2.3 F. Additional finding required for sites zoned Environmentally Sensitive Habitat (ESH) Overlay. In compliance with Section 35-97.6 of the Article II Zoning Ordinance, prior to the issuance of a Coastal Development Permit for sites designated with the ESH Overlay zone the review authority shall first find that the proposed development meets all applicable development standards in Section 35-97.8 through Section 35-97.19.

None of the proposed project facilities are located within the designated ESH areas on and near the project site and no dredging will occur in or near wetland areas. The Board of Supervisors finds that the proposed development meets the following applicable development standards in Section 35-97.8 through Section 35-97.19, as discussed below. (ESH Overlay standards not discussed below are not applicable to the proposed development.)

***Sec. 35-97.9.6.** Wastewater shall not be discharged into any wetland without a permit from the California Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.*

***Sec.35-97.9.9.** 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.*

Wastewater will not be discharged into any wetland. Waste disposal, spill prevention and control and storm water discharge requirements have been adopted as conditions of approval (Conditions 29-37) to protect nearby sensitive habitats, including the wetland area, from accidental spills or discharges. The wetland will be protected from encroachment during construction and the buried gas pipeline will not affect, and will be compatible with, the continued biological productivity of the wetland. Therefore, the proposed development meets this development standard.

***Sec. 35-97.9.8.** No unauthorized vehicle traffic shall be permitted in wetlands and pedestrian traffic shall be regulated and incidental to the permitted uses.*

Condition 9 requires exclusionary fencing of the wetland area adjacent to the pipeline

route during construction. The project site is gated and fenced such that unauthorized vehicles and pedestrian traffic are not allowed onsite. Therefore, the proposed development meets this development standard.

Sec. 35-97.12.2. [Butterfly Tree Habitats] *Adjacent development shall be set back a minimum of 50 feet from the trees.*

Development will not occur within 250 feet of the Monarch butterfly tree habitats on the property. Therefore, the proposed development meets this development standard.

2.3 DEVELOPMENT PLAN FINDINGS

2.3.1 A. Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings, as applicable:

1. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.

The new facilities, including new roadways, to be constructed for the expanded gas storage project will cover about 1 acre of the 147.4-acre SoCal Gas parcel which is currently developed with similar facilities. The new structures have been sited to avoid biologically sensitive areas and to take advantage of existing roadways and previously disturbed areas within the site to the extent feasible. The site is relatively level and the locations of the new well pads and dehydration plant will not require excessive grading. Therefore, the Board of Supervisors finds that the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.

2. That adverse impacts are mitigated to the maximum extent feasible.

As discussed above for Finding 1.4, which is incorporated herein by reference, the significant, adverse effects associated with visibility of the drilling rig will be temporary during the two drilling periods and will be eliminated when well drilling is completed and the drilling rig is removed from the site. However, these impacts cannot be mitigated to less than significant levels. In this case, the only feasible mitigation measure to address these temporary significant effects is to require prompt removal of the drilling from the site when it is no longer needed. This mitigation measure (Special-Aest-3) has been adopted as a condition of approval (Condition 5). Other development associated with the project will be painted and screened from public viewing points pursuant to Conditions 4 and 5. Other adverse impacts are identified above under Finding 1.5 and will be mitigated to the maximum extent feasible with implementation of adopted mitigation measures, as specified in the discussion of Finding 1.5, which discussion is incorporated herein by reference.

Risks to life and property will be minimized through implementation of safety measures incorporated into the project design and required by the California Department of Conservation's Division of Oil, Gas and Geothermal Resources, the California Public Utilities Commission and the U.S. Department of Transportation, as discussed for Coastal Act Policy 30253 in Section 6.2 of the May 29, 2013 Planning Commission staff report, which discussion and finding are incorporated herein by reference. As noted therein, additional mitigation measures have not been identified that would further reduce public safety risks and that are not already incorporated into the project design.

Based on the foregoing the Board of Supervisors finds that adverse impacts are mitigated to

the maximum extent feasible.

3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The Board of Supervisors finds that the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use, as discussed in the policy consistency section (6.2) of the May 29, 2013 Planning Commission staff report for Coastal Land Use Policy 2-6. That discussion and finding of consistency are incorporated herein by reference. Specifically, the Board of Supervisors also finds that More Ranch Road, a private road, is adequate to provide access to the project site and to carry the type and quantity of traffic generated by both construction and operation of the expanded gas storage facility, as approved by the County.

4. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

The Board of Supervisors finds that there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project, as discussed for Coastal Land Use Policy 2-6 in the policy consistency section (6.2) of the May 29, 2013 Planning Commission staff report. That discussion and finding of consistency are incorporated herein by reference.

5. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

Public Safety. The project EIR evaluated the risks associated with both the existing gas storage facility and the proposed expanded facility and identified that in both cases, the maximum existing risk from the facility to generate serious injuries or fatalities to members of the public is well below the County's significant public safety risk threshold. The EIR further identified that the proposed project would increase the existing risk only slightly. Of the range of hazards assessed for the expansion project in the EIR, the two hazards that have the potential to impact offsite populations are a failure of the new gas pipeline linking the new wells to the new dehydration facility or a failure of the gas condensate storage tank (EIR Section 4.9.4.3). The probability of a gas pipeline failure (or "failure rate") is once in an 11,100-year period and the failure rate for the gas condensate storage tank is once in a two million-year period. Therefore, the project risk analysis shows that catastrophic accidents that could result in offsite injuries or fatalities as a result of the proposed project are remote, the proposed project would add only a small amount of risk to the existing facility, and the risks associated with the La Goleta gas storage facility if the proposed project is implemented would still be well below the County's public safety risk thresholds (see EIR Figure 4.9-3). Operation of the expanded storage facility must be conducted in accordance with safety regulations and requirements enforced by local, state and federal agencies. These measures are in place today for the existing facility which has been in operation since 1941 and the expansion project will not result in any changes in operating procedures or parameters, such as pipeline pressures, that would reduce the current level of safety at the La Goleta storage facility.

A portion of More Ranch Road will be temporarily blocked to move the drilling rig to and from the site using a mobile 80-ton crane to assist the trailers around the sharp (short-radius) bend in More Ranch Road. The road will be blocked for approximately 20 minutes for each of 6 to 8 "crane assistance events" during each of the two well-drilling periods. During construction, including the crane assistance events, SoCal Gas will implement the notification

and safety measures required by a condition of approval (Condition 28). The County Fire Department is aware of the potential road blockages and has acknowledged that they do not pose a safety concern for the Department (see EIR p. 11.4-43, Responses to Comments PH9-6 and PH9-7). Vehicle traffic associated with construction workers will be mitigated to the extent feasible through other requirements of Condition 28 (e.g., car pooling) and there will be no long-term increase in worker traffic and minimal increase in truck traffic during project operations.

Noise. Baseline noise and vibration levels associated with the existing SoCal Gas storage facility were measured for the EIR assessment (see EIR Table 4.12-4) and the EIR determined that operation of the expanded storage facility would not exceed noise or vibration thresholds and thus would not create significant noise impacts. However, the EIR also found that operation of the new dehydration plant potentially could result in adverse (but less than significant) noise impacts to residences located east and south of the project property, especially at night when ambient noise levels are lowest. Increased noise from construction and drilling would also be below the County's significance threshold at neighboring properties (see EIR Table 4.12-11). For the existing SoCal Gas storage facility operations, primary noise generating sources include large-scale compressors, natural gas micro-turbines, and dehydration equipment. The compressors generate a percussive type of sound similar to a steam locomotive engine but they will not be used for operating the expanded portion of the storage facility. Micro-turbines currently used to generate electricity for plant operations create a steady sound characterized as a whine or high-pitched hum. In response to public complaints, the existing micro-turbines were equipped with mufflers to dampen the sound and SoCal Gas has stated that complaints have abated since the retrofit. Dehydration equipment that is used during gas extraction makes a typical fan-type noise. Feasible mitigation measures have been adopted (Conditions 24 and 26) to reduce the noise from the new dehydration plant to ambient noise levels at sensitive receptors.

Because ambient noise nighttime noise levels are low in areas outside of the project site, around-the-clock operation of the drilling rig during the quietest times of the night could result in a significant impact for nearby residents. Feasible mitigation measures have been adopted (Conditions 23 and 25) to ensure that drilling noise levels at sensitive receptor locations are kept to no more than a 3-dB(A) increase over ambient levels during the well drilling periods. Three dB(A) is generally taken to be the smallest noise increase noticeable to most people.

The project will result in short-term, temporary inconveniences to other users of More Ranch Road, as discussed above and in the project EIR. However, once drilling and construction are completed, traffic levels will return to nearly current levels and permanent facilities constructed for the expansion project will either be screened from views or for noise dampening, or will otherwise not be visible. Based on the foregoing, the Board of Supervisors finds that the La Goleta gas storage expansion project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

- 6. That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article and/or the project falls with the limited exception allowed under Section 35-161.7.**

The Board of Supervisors finds that the project is in conformance with the Comprehensive Plan, including the Coastal Land Use Plan and with the applicable provisions of Article II, as

discussed in Sections 6.2 and 6.3 of the May 29, 2013 Planning Commission staff report, which discussions are incorporated herein by reference.

7. That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.

This finding is not applicable because the expanded gas storage use would not be located within a designated rural area. However, the new permanent facilities will be compatible with and subordinate to the scenic and agricultural character of the area. Drilling-related impacts to visual resources will be temporary during the 89-day and 68-day drilling periods and will not occur once the wells have been completed and the drilling rig moved offsite.

8. That the project will not conflict with any easements required for public access through, or public use of a portion of the property.

There are no public access easements on or required for the project site and no public use of the property. Therefore, the Board of Supervisors finds that the project will not conflict with any easements required for public access through, or public use of a portion of the property.

ATTACHMENT C: CONDITIONS

Southern California Gas Company, La Goleta Storage Field Enhancement Project Case Nos. 12RVP-00000-000056 and 08CDP-00000-00185

I. PROJECT DESCRIPTION

1. Proj Des-01 Project Description

This Revised Final Development Plan and Coastal Development Permit are based upon and limited to compliance with the project description, the hearing exhibits dated June 5, 2013, the description reviewed in 10EIR-00000-00001, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

SoCal Gas will drill two development wells (identified as Todd 1 and Todd 2) and two exploratory/development wells (identified as Chase and Bryce 3 and More 6); install approximately 2,800 linear feet of six-inch diameter underground piping, and construct a gas dehydration unit and other appurtenant facilities to withdraw native gas from an onshore gas field at the existing La Goleta Storage Field (1171 More Ranch Road). Grading will total 4,793 cubic yards cut and 2,333 cubic yards fill.

Total native gas production from production wells Todd 1 and Todd 2 is estimated to be from 1 to 3 billion cubic feet (BCF) and 2 BCF from exploratory wells More 6 and Chase and Bryce 3. Native gas production is estimated to last 3 to 5 years, but will continue until the reservoir is sufficiently depleted of native natural gas, at which time the wells and other facilities will be converted to storage uses. The native gas will be processed through the new dehydration facility and flow into the low pressure Line 1003, typically operated at 160 psi with a Maximum Allowable Operating Pressure (MAOP) of 187 psi. The two exploratory wells will be converted into development wells if native gas production is determined feasible.

Withdrawal of native gas from the Eocene-age zone will result in the reduction of the reservoir pressure. Upon depletion of the native gas resources, the pressure of the reservoir will be reduced to the Line 1003 pressure and no further withdrawal of native gas will take place. Once the reservoir pressure is reduced to the pressure range of Line 1003, the production wells will be reclassified to injection/withdrawal storage wells. The new gas wells are designed to allow both injection and withdrawal of natural gas for storage purposes. No equipment additions will be necessary to integrate the wells into the storage system.

Pipeline quality gas from high pressure Line 160, typically operated between 850 and 940 psi with an MAOP of 1000, will be injected into the storage reservoir. Once the new zone and wells are converted to storage, the system will be operated in the range of the operating pressure of the two pipelines, low pressure Line 1003 and high pressure Line 160. No compression will be used to inject gas into the reservoir. Stored gas will be withdrawn from the new storage zone, processed through the new dehydration facility and placed into the low pressure Line 1003 for delivery to customers, as needed.

The project will occur in three phases as described in 10EIR-00000-00001, which description is incorporated herein by reference, and summarized below:

- **Phase I** – Todd 1 and Todd 2 Production Wells: Two well pads will be constructed and the wells completed over a 145-day period. The drilling rig will be onsite for 89 of the 145 days.
- **Phase IA** – Surface Facilities Construction: The dehydration plant will be constructed and started up and the 6-inch gas pipeline installed over a 145-day period beginning after completion of Phase I.
- **Phase II** – Chase & Bryce 3 and More 6 Exploratory Wells: Construction of two well pads and well completion will occur over a 104-day period beginning 10 to 12 months after the completion of Phase IA. The drilling rig will be onsite for 68 of the 104 days.

In addition to the facilities described above, the project includes use or construction/installation of the following equipment and appurtenant structures:

- Temporary 172-foot (including substructure) standard drilling rig with prior FAA clearance of FAA Form 7640-1 (Notice of proposed construction or alteration).
- Gas liquids loading station with maximum throughput of 329,000 gallons/year of total liquids, including 286,000 gallons/year of hydrocarbon liquids
- Filter separator
- Pressure control devices including well chokes, relief valves, and pressure regulators to maintain the downstream system pressure at or below the 187 psig maximum allowable operating pressure for Line 1003
- Gas cooler
- Absolute filter
- Glycol contactor
- Triethylene Glycol (TEG) dehydration system (20 MMcfd maximum capacity) including particulate filter, carbon filter, heat exchanger, glycol surge tank, reboiler with 100 kW electric heater, glycol stripping column, glycol/glycol exchanger, two displacement pumps, TEG cooler, overhead cooler, still overhead separator, liquid separator, thermal oxidizer
- Chiller
- Odorant injection system including 500-gallon horizontal odorant tank
- Liquid separation vessel
- Two 10,000-gallon blanketed liquid holding tanks
- Thermal oxidizer
- Access roadways
- Grading for pads
- Concrete foundations and equipment pads
- Provision of "Notice of Airport in Vicinity" for all employees and visitors to the site.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. Special-Proj Des-02 Project Conformity

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above, the hearing exhibits and conditions of approval below. The applicant will use best efforts to meet the drilling timelines identified in Condition 1, Project Description. These timelines may be extended by the Director for good cause. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Lighting and Landscape Screening Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. MITIGATION MEASURES FROM 10EIR-00000-00001

3. Special-Aest-1 Landscaping

SoCal Gas shall install landscaping to screen views of new equipment from More Ranch Road.

Plan Requirements and Timing: SoCal Gas shall submit a Landscape Screening Plan to P&D for review and approval prior to issuance of the land use clearance. Landscaping shall be maintained throughout the life of the project and shall be installed prior to Final Building Inspection clearance.

Monitoring: P&D staff shall confirm installation of approved landscaping prior to and as a condition precedent to obtaining Final Building Inspection clearance. P&D shall perform periodic site inspections during operations to ensure compliance with the approved Landscape Screening Plan.

4. Special-Aest-2 Colors and Painting

SoCal Gas shall ensure that all exposed equipment is finished in non-reflective materials and painted and maintained in a neutral earth-tone color (such as “blackened beam”) as approved by P&D.

Plan Requirements and Timing: Color specifications shall be identified on final plans submitted by SoCal Gas to the County prior to issuance of the land use clearance, as well as on final building plans.

Monitoring: P&D staff shall conduct a Project Compliance Inspection prior to and as a condition precedent to obtaining Final Building Inspection clearance.

5. Special-Aest-3 Removal of Drilling Equipment

SoCal Gas shall remove all drilling equipment from the site within 30 days following the drilling of wells and immediately upon completion of well workovers.

Monitoring: P&D staff shall confirm removal of drilling equipment.

6. **Special-Aest-4 Night Lighting**

SoCal Gas shall ensure that any new, permanent, project-related exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. SoCal Gas shall install timers on project-related permanent lighting or otherwise ensure lights are dimmed after 10 p.m. Temporary construction lighting shall be kept to the minimum feasible consistent with safety needs to minimize ambient light emissions during construction. Light shields shall be installed to reduce ambient lighting to adjacent properties and habitats.

Plan Requirements and Timing: SoCal Gas shall submit a Lighting Plan to P&D incorporating these requirements and showing locations and height of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture. P&D staff shall review and approve the Lighting Plan for compliance with this measure prior to approval of the land use clearance.

Monitoring: P&D staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the approved Lighting Plan.

7. **Special-AQ-1 Dust Control**

SoCal Gas shall comply with, and ensure contractor compliance with, the following measures, which include the APCD Standard Dust Mitigation Measures, at all times including weekends and holidays:

- Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
- During construction, including clearing, grading, earth moving, excavation, and transportation of cut or fill materials, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day, to create a crust after each day's activities cease. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- When wind exceeds 15 mph, have the site watered at least once each day including weekends and/or holidays.
- Order increased watering as necessary to prevent transport of dust off-site.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control. The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor prior to land use clearance. The dust control monitor(s) shall have responsibility to:
 - Assure all dust control requirements are complied with including those covering weekends and holiday periods when work may not be in progress;
 - Order increased watering as necessary to prevent transport of dust offsite;
 - Attend the pre-construction meeting.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be attached to the land use clearance.

Timing: Requirements shall be shown on plans or maps prior to issuance of the land use clearance. This measure shall be adhered to throughout all grading and construction periods.

Monitoring: P&D shall ensure measures are on project plans. P&D staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

8. **Special-AQ-2 Construction Emissions Reduction**

SoCal Gas shall implement, and ensure contractor implementation, of the following APCD-recommended Diesel Particulate and NO_x Emission Measures to reduce diesel emissions:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

Monitoring: P&D staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

9. **Bio-13a Habitat Protection Plan (HPP)**

SoCal Gas shall submit for P&D approval a Habitat Protection Plan prepared by a P&D-approved biologist and designed to minimize disturbance to the delineated wetland area. The plan shall include the following components:

1. Comply with and depict the following on the Habitat Protection Plan (HPP) and Grading & Building Plans:
 - a. The delineated wetland area located adjacent to the proposed pipeline route, mid-way between the existing compressor building and the proposed dehydration plant, (Figure 6.4-5 in Appendix E of the EIR) shall be preserved. Identify the location & extent of driplines and sensitive root zones for all vegetation to be preserved.
 - b. Depict the type and location of protective fencing or other barriers to be in place to protect the wetland area.
2. Comply with and specify the following as notes on HPP and Building & Grading Plans:
 - a. To avoid damage during construction, all wetland areas shall be temporarily fenced with chain-link or other material satisfactory to P&D and staked to prevent any collapse.
 - b. Protective fencing/staking/barriers shall be maintained throughout all grading & construction activities.
3. In the event of unexpected damage or removal of habitat:
 - a. If it becomes necessary (as authorized by P&D) to disturb or remove any plants within the habitat area, a P&D-approved biologist shall direct the work. Where feasible, specimens shall be boxed and replanted. If a P&D-approved biologist certifies that it is not feasible to replant, plants shall be replaced at a minimum using the standards of P&D's standard Habitat Restoration Plan and under the direction of the P&D-approved biologist. If replacement plants cannot all be accommodated on site, a plan must be approved by P&D for replacement trees to be planted offsite.

Plan Requirements: The HPP shall include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures prior to issuance of grading/building permits. **Timing:** SoCal Gas shall submit the HPP prior to approval of the land use clearance. Habitat protection measures shall be installed onsite prior to issuance of grading/building permits and pre-construction meeting.

Monitoring: SoCal Gas shall demonstrate to the satisfaction of P&D compliance staff that the wetland area identified for protection was not damaged or removed or, if damage or removal occurred, that correction is completed as required by the HPP prior to Final Building Clearance.

10. Special-Bio-1 Nesting Bird Protection

SoCal Gas shall fund a County-approved biologist to survey for active nests immediately prior to the start of ground disturbance in a given area. The survey shall extend to 500 feet away from the area of disturbance. If an active raptor nest is found, no ground disturbing activity shall occur within a buffer zone of 500 feet around the nest. If active, special-status avian species nests are found, no ground disturbing activity shall occur within a buffer zone of 300 feet around the nest. The buffer zones shall be marked with construction fencing and shall be maintained until fledglings have left the nest and the biological monitor has cleared the area.

Plan Requirements: SoCal Gas shall report every two weeks on survey and monitoring activities conducted in compliance with this measure in writing to P&D staff.

Monitoring: P&D shall review the bi-weekly reports and inspect the Project site as necessary to ensure compliance with this measure.

11. Special-Bio-2 Heavy Equipment

To reduce impacts to wildlife, SoCal Gas shall ensure that the equipment engines are the minimum practical size and the amount of heavy construction equipment operating simultaneously is minimized through efficient management practices to ensure that the smallest practical number is operating at any given time.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling, and construction activities.

Monitoring: P&D shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

12. Special-Bio-3 Storm Water Runoff

SoCal Gas shall ensure that storm drain inlets are protected from sediment-laden waters by use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps. Best Management Practices (BMPs) shall be incorporated into the project and maintained throughout all construction and development.

Plan Requirements: BMPs shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout construction activities.

Monitoring: P&D shall perform periodic site inspections to ensure compliance with approved plans.

13. Special-Cul-1 Cultural Resource Monitors

SoCal Gas shall have all initial earth-disturbance associated with storage wells, pipeline trenching and bore pits monitored by a P&D qualified archaeologist and a Native American Consultant pursuant to County Archaeological Guidelines. No monitoring of the dehydration facility area or the boring itself is required; however any change of boring or dehydration facility location must be re-assessed for impacts to cultural

resources. The results of the monitoring shall be summarized in a monitoring report per County Guidelines.

Plan Requirements and Timing: A contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description and scope of work, shall be prepared. The contract must be executed and submitted to P&D for review and approval. The contract shall be approved by P&D prior to land use clearance. At the conclusion of construction ground disturbance, a monitoring report must be submitted to P&D and the Central Coast Information Center.

Monitoring: P&D planners shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check field work.

14. **Special-Cul-2 Worker Orientation**

SoCal Gas shall hold a worker orientation meeting at the commencement of project construction presented by the designated archeological monitor. The archaeological monitor shall give all workers associated with project activities an orientation regarding the possibility of exposing cultural resources, how to recognize cultural resources and required steps when such materials are encountered. The orientation shall direct workers and monitors to stay within project construction boundaries and avoid entering or otherwise disturbing any areas outside of defined work areas.

Plan Requirements and Timing: Prior to issuance of land use and grading clearances, a brief orientation outline and sign-in sheet for the completed orientation shall be submitted to P&D.

Monitoring: P&D shall verify completion of worker orientation prior to commencement of any ground-disturbing activity.

15. **Special-Cul-3 Exclusion Areas**

SoCal Gas shall ensure that the specific locations of the pipeline bore entrance and exit, and the associated construction exclusion areas, shall be confirmed in the field by a P&D-qualified archaeologist. Bore locations and exclusion areas associated with CA-SBA-43 shall be mapped on approved project plans. Exclusion areas shall be temporarily fenced with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet of the site. This distance may be altered at the discretion of the project archaeologist in consultation with P&D.

Plan Requirements: The bore entrance and exit locations, and exclusion area fencing, shall be shown on approved land use, grading and building plans. Fenced area shall be labeled "Sensitive Environmental Area".

Timing: Plans to be approved by P&D and fencing to be in place prior to start of ground disturbance for pipeline construction.

Monitoring: P&D shall verify installation of fencing by reviewing photo documentation or by site inspection prior to issuance of land use and grading clearance, and ensure fencing is in place throughout grading and construction through site inspections. P&D shall ensure bore holes are located in previously approved locations.

16. Special-Cul-4 Unexpected Discoveries

SoCal Gas and/or their agents, representatives or contractors shall stop or redirect work immediately in the event that archeological remains are encountered during grading, construction or other construction-related activity. SoCal Gas shall retain a P&D qualified archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Cultural Resource Guidelines. Isolated artifacts, objects fewer than 45 years old and archaeological artifacts in fill or imported soils shall not be considered significant discoveries and the grading or construction may continue, with concurrence of the archeological monitor. If intact archaeological deposits are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by SoCal Gas.

Plan Requirements/Timing: This condition shall be printed on all building and grading plans.

Monitoring: P&D shall check plans prior to approval of the land use clearance and shall spot check in the field.

17. Special-Fire-1 Emergency Plans

SoCal Gas shall update the facility's Injury and Illness Prevention Program, Emergency Action and Fire Protection Plan, and Emergency Response Plan to include the approved new development.

Plan Requirements and Timing: Updated plans shall be submitted to P&D and County Fire for review and approval prior to land use clearance issuance. The Emergency Response Plan shall also be submitted to the County Office of Emergency Management for review and approval prior to land use clearance issuance.

18. Special-Geo-1 Bluff Setback

To reduce the possibility of impacts due to slope failure on the coastal bluff, SoCal Gas shall ensure that all ground-disturbing activity shall be located outside of the required 75-year bluff retreat setback of 32 feet.

Plan Requirements and Timing: Applicable throughout project grading and construction.

Monitoring: P&D shall verify the bluff setback on grading plans prior to land use clearance and verify with site inspections during construction.

19. Special-Geo-2 Soils/Geotechnical Reports

To minimize possible impacts of excavation due to unstable soils, SoCal Gas shall incorporate the recommendations included in the Applied Earth Sciences reports dated April 18, 2008 and August 6, 2008 in all building and grading plans.

Plan Requirements: This requirement shall be noted on building and grading plans.

Timing and Monitoring: Prior to plan approval, P&D shall verify that grading and building plans incorporate the recommendations.

20. Special-Geo-3 Excavation in Rainy Season

All ground disturbing work during the rainy season (April 15 to November 1) must maintain a 5-day clear forecast (clear forecast is defined as the chance of precipitation is 25% or less), unless a Building and Safety approved erosion and sediment control plan is in place and all measures therein are in effect, as determined by P&D.

Plan Requirements: This requirement shall be noted on all grading and building plans.

Timing: Effective throughout all grading and ground-disturbing activities.

Monitoring: P&D shall verify that grading and building plans incorporate the requirement and ensure compliance by site inspections during construction.

21. Special-Geo-4 Erosion and Sediment Control Plan

SoCal Gas shall prepare an Erosion and Sediment Control Plan designed to minimize erosion. The plan shall include the following measures:

- a. Grading shall be prohibited within 100 feet of the top of bank of Atascadero Creek. The protected area shall be designated with orange construction fencing or other barrier to prevent entry by equipment or personnel.
- b. Methods such as geotextile fabrics, erosion control blankets, retention basins, drainage diversion structures, siltation basins, and spot grading shall be used to reduce erosion and siltation into adjacent water bodies or storm drains during grading and construction activities.
- c. To minimize erosion, all graded surfaces shall be reseeded with ground cover vegetation, using a seed mix approved by P&D. Graded areas shall be reseeded within 4 weeks following completion of grading of those areas, with the exception of areas graded for the placement of structures; these areas shall be reseeded if construction of structures does not commence within four weeks of grading completion.
- d. All entrances/exits to the construction site shall be stabilized (e.g. using rumble plates, gravel beds, or other best available technology) to reduce transport of sediment off site. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods.
- e. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps.
- f. Temporary storage of construction equipment shall be limited to a 100 by 100 foot area located outside of any designated ESH or wetland area; equipment storage sites shall be located at least 100 feet from any water bodies.

Plan Requirements: SoCal Gas shall submit the Erosion and Sediment Control Plan for review and approval by P&D. The plan shall be designed to address erosion and sediment

control during all phases of development of the site. The applicant shall notify P&D prior to commencement of grading.

Timing: The plan shall be approved prior to approval of the land use clearance. Erosion and sediment control measures shall be in place throughout grading and development of the site until all disturbed areas are permanently stabilized.

Monitoring: P&D shall perform site inspections throughout the construction phases and afterwards to verify reseeding.

22. Special-Noise-1 Construction Hours

Construction activity, with the exception of well drilling activities, is limited to the hours between 8:00 am and 5:00 pm, Monday through Friday. No construction shall occur on State holidays. Construction equipment maintenance and deliveries of equipment and materials to the site shall be limited to the same hours. Non-noise generating construction activities such as painting are not subject to these restrictions.

Plan Requirements: Three signs stating these restrictions shall be provided by the applicant and posted on site at locations within public view.

Monitoring: P&D shall respond to complaints.

23. Special-Noise-2 Construction Equipment Noise

All construction equipment shall be fitted with appropriate mufflers, silencers, or noise reduction equipment per manufacturer specifications. All major equipment shall be soundproofed in accordance with applicable safety regulations and standards.

Plan Requirements: These requirements shall be printed on all building and grading plans.

Timing: These requirements shall be adhered to throughout project construction.

Monitoring: P&D shall spot check and respond to complaints.

24. Special-Noise-3 Stationary Equipment

With the exception of the drilling equipment, stationary construction equipment that generates noise that exceeds 65 dB(A) at the project boundaries shall be shielded to P&D's satisfaction. Drilling equipment shall be shielded as necessary to achieve required noise reduction pursuant to the approved Construction Noise Plan required in Special-Noise-4, below.

Plan Requirements: The equipment area with appropriate acoustic shielding shall be designated on all building and grading plans.

Timing: Equipment shielding shall remain in the designated location throughout construction activities.

Monitoring: P&D shall perform site inspections to ensure compliance.

25. **Special-Noise-4 Construction Noise Reduction and Verification**

SoCal Gas shall develop and implement a Construction Noise Reduction and Verification Plan (Construction Noise Plan) to ensure that the Leq (hourly) noise levels from construction and drilling activities are below 65 dB(A) during the daytime construction hours (8:00 a.m. and 5:00 p.m.) and that the combined noise level from drilling noise and ambient noise is no more than 3 dB(A) greater than the typical ambient noise level alone during the evening and nighttime hours (5 p.m. to 8 a.m.), measured outdoors at sensitive receptors, including the Rancho Goleta Mobile Home Park, Caird Barn, and other sensitive receptors located to the east or southeast of the project site. The “typical ambient noise level” for a given hour of the evening or night is the median of the noise measurements (dB(A) Leq, hourly) acquired at that hour during extended (i.e., multi-day), continuous noise monitoring.

The Construction Noise Plan shall include the following, or other equivalent, measures necessary to achieve the required noise reduction:

- a. Placement of portable noise barriers or walls between drill rigs or other construction equipment and sensitive receptors.
- b. Placement of noise blankets or shields around specific equipment areas.
- c. Installation of upgraded silencers on all applicable engines.
- d. Partially or completely enclosing key power units such as generators, mud pumps, engines and other appropriate equipment.
- e. Minimize metal-on-metal contact by: using impact-dampening materials on pipe racks, at the pipe V-door ramp, and on the pipe racks and the floor of the drilling rig; using hydraulic tongs, rather than the chain tongs or pneumatic tongs.
- f. Include a “quiet mode” plan for all work during evening and nighttime hours, similar to the quiet mode plan included as Appendix K of the project EIR (10EIR-00000-00001).
- g. Notify affected residents of work schedule, implement noise complaint hotline, and describe complaint resolution procedures.
- h. Provide a detailed noise monitoring methodology, which shall include continuous noise monitoring at sensitive receptors, concurrent noise monitoring near drilling sites, audio recordings of noise exceedances at sensitive receptors, and access for County compliance staff to online noise data and audio recordings in near-real time.

If at any time during well drilling the measured noise level exceeds the specified limits, work activities shall be stopped and additional noise control measures shall be implemented, subject to P&D approval. **Plan Requirements:** The Construction Noise Plan shall be submitted to the County for approval. **Timing:** The Construction Noise Plan shall be approved prior to issuance of the land use clearance. Noise monitoring shall be conducted during each phase of construction and during any subsequent well workover of wells constructed for this project.

Monitoring: The applicant shall submit noise reports to P&D on a weekly basis in accordance with criteria outlined in the Construction Noise Plan. The applicant shall

ensure P&D is provided with near-real time online access to noise data and audio recordings needed to enforce this condition of approval.

26. Special-Noise-5 Operational Noise Monitoring

SoCal Gas shall develop and implement an Operational Noise Reduction and Verification Plan (Operations Noise Plan) to ensure that the combined noise level from operation of the proposed new dehydration plant and ambient noise is no more than 3 dB(A) Leq greater than the minimum ambient noise level alone during the evening and nighttime hours (5 p.m. to 8 a.m.), measured outdoors at sensitive receptors, including the Caird Barn and other sensitive receptors located to the east or southeast of the project site. The “minimum ambient noise level” for a given hour of the evening or night is the minimum noise measurement (dB(A) Leq, hourly) acquired at that hour during extended (i.e., multi-day), continuous noise monitoring. The Operations Noise Plan shall describe the engineered noise reduction structures (such as sound barriers or pipe lagging) and operational practices that will achieve the required noise levels. Such operational practices shall include, but are not limited to, the following: *Except in an emergency, no materials, equipment, tools, or pipe shall be delivered to or removed from the site between the hours of 7:00 p.m. and 7:00 a.m. of the following day.* The Operations Noise Plan shall include a detailed noise verification methodology, including measurements to verify that noise levels are in compliance with this measure at dehydration plant start-up and subsequent, periodic measurements to assure continued compliance. If noise from the dehydration plant is found to exceed the above criterion, operations shall be suspended until additional noise reduction measures are implemented.

Plan Requirements: The Operations Noise Plan shall be submitted to P&D for approval. **Timing:** The Operations Noise Plan shall be approved prior to issuance of the land use clearance.

Monitoring: An initial noise report shall be submitted to the County within one week of start-up. Noise reports shall be submitted quarterly to P&D for review. Once the project has demonstrated compliance for four consecutive quarters, as determined by P&D, no further noise monitoring shall be required.

27. Special-Pub-1 Solid Waste Management Program

SoCal Gas shall develop and implement a Solid Waste Management Program. The program shall identify the amount of waste generation projected during construction and operation of the facility. The program shall include the following measures, but is not limited to those measures:

- a. Plans for disposal of solid and liquid waste in accordance with state and federal regulations.
- b. Separation of construction waste for reuse/recycling or proper disposal.
- c. Recycling of at least 80% of metallic waste.
- d. Provision of separate bins for recycling of construction materials.
- e. Location of bins to be shown on building plans.
- f. Provision of covered receptacles onsite for employee trash.

Plan Requirements: SoCal Gas shall submit a Solid Waste Management Program to P&D for review and approval prior to land use clearance issuance. **Timing:** Program components shall be implemented prior to land use clearance and throughout the life of the project.

Monitoring: P&D shall site inspect during construction to ensure solid waste management components are established and implemented.

28. Special-Traf-1 Traffic Management Plan

SoCal Gas shall prepare a Traffic Management Plan (TMP) for submittal to the County of Santa Barbara. The purpose of the TMP is to address potential hazards and congestion associated with construction traffic. The TMP shall include, but not be limited to, the following:

- a. Location of flagmen on More Ranch road to direct traffic during move-in and move-out activities.
- b. A traffic schedule prohibiting vehicles from using the Patterson Avenue/101 South interchange during peak hours (7-9 am or 4-6 pm).
- c. Designation of a Transportation Coordinator who will manage transportation programs for the project and serve as the contact person for transportation related issues. Said coordinator shall be available during normal working hours. The Transportation Coordinator's name and contact information shall be submitted to P&D.
- d. A carpooling program to reduce the number of employee trips to and from the site.
- e. Advance notification of residents, emergency providers, and hospitals when roads maybe partially or completely closed.
- f. Protocols for passage of emergency vehicles when cranes are in use.
- g. Maintenance and restoration of public and private roads affected by construction traffic.
- h. Coordination of construction traffic during floral-related holiday periods with affected growers.
- i. Temporary signage near the bike path crossing on South Patterson Avenue and at the intersection of More Ranch Road and Anderson Lane to alert drivers, cyclists and pedestrians to proceed with caution.
- j. Safety briefings for drivers of project-related vehicles, instructing them to exercise extra caution on More Ranch Road, at the intersection of More Ranch Road and Anderson Lane, on South Patterson Avenue and at the bike crossing on South Patterson Avenue, for the safety of pedestrians and cyclists.

Plan Requirements and Timing: Provisions of the TMP shall be noted on building plans. SoCal Gas shall submit the TMP to P&D for review and approval prior to issuance of the land use clearance. TMP requirements shall be in force throughout all construction phases.

Monitoring: P&D staff shall ensure that required measures are included in the TMP and plans and shall verify compliance with the TMP requirements throughout construction.

29. WatConv-05 Equipment Washout-Construction

SoCal Gas shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as needed. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

Plan Requirements: SoCal Gas shall designate the P&D-approved location on all grading and building plans. **Timing:** SoCal Gas shall install the washout area prior to commencement of construction.

Monitoring: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

30. NPDES-25 NPDES-Outdoor Storage Area Requirements

Where project plans include outdoor material storage areas that could contribute pollutants to the storm water conveyance system, the following NPDES measures are required: 1) Materials with the potential to contaminate storm water must either be (a) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or (b) protected by a secondary containment structure such as berm, dike, or curb and covered with a roof or awning; and 2) The storage area must be paved and sufficiently impervious to contain leaks and spill or otherwise be designed to prevent discharge of leaks or spills into the storm water conveyance system.

Plan Requirements: SoCal Gas shall incorporate these NPDES outdoor storage area requirements into project design and depict on plans, including detail plans as needed.

Timing: P&D planners shall ensure plan compliance prior to approval of the land use clearance. The Owner shall maintain these requirements for the life of the project.

Monitoring: SoCal Gas shall demonstrate installation of the outdoor storage requirements consistent with NPDES requirements to P&D compliance monitoring staff and Public Works-Water Resources Division staff prior to Final Building Inspection Clearance. The Owner shall make the site available to P&D for periodic inspections of the outdoor storage area for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

31. Special-Wat-1 Construction-Related Storm Water Pollution Prevention

SoCal Gas shall submit proof of an exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. In the event the project is exempt from the state's NPDES Construction General Permit,

SoCalGas shall provide an Erosion and Sediment Control plan identifying appropriate construction-related BMPs from their own SoCal Gas Water Quality Construction Best Management Practices Manual.

Plan Requirements and Timing: Prior to issuance of the land use clearance SoCal Gas shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. A copy of the SWPPP must be maintained on the project site during grading and construction activities.

Monitoring: P&D shall review the documentation prior to issuance of the land use clearance and compliance staff shall site inspect throughout the construction period for compliance with the SWPPP.

32. Special-Wat-2 Waste Disposal

SoCal Gas shall ensure that all solid and liquid wastes are disposed of in accordance with Division of Oil, Gas, and Geothermal Resources (DOGGR) regulations.

Timing: Throughout all project phases.

Monitoring: P&D shall spot check during site visits to verify compliance.

33. Special-Wat-3 Spill Prevention Control and Countermeasure Plan (SPCC)

SoCal Gas shall modify the existing La Goleta Storage Facility SPCC to include the proposed new development.

Plan Requirements and Timing: The updated SPCC shall be submitted to P&D for review and approval prior to land use clearance issuance.

Monitoring: P&D staff shall verify compliance with applicable provisions of the SPCC during site visits.

34. Special-Wat-4 Best Management Practices

SoCal Gas shall install a combination of structural and non-structural Best Management Practices (BMPs) from the California Stormwater BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods, to effectively prevent the entry of pollutants from the project site into the storm drain system after development.

Plan Requirements: SoCal Gas shall submit and implement a Storm Water Quality Management Plan (SWQMP), or, in lieu of a SWQMP, SoCal Gas shall submit a Storm Water Pollution Prevention Plan (SWPPP), consistent with the National Pollutant Discharge Elimination System General Permit No. CAS000001 Waste Discharge Requirements For Discharges of Storm Water Associated With Industrial Activities. The SWQMP (or SWPPP for Industrial Activities) shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; proposed design and placement of structural and non-structural BMPs to address identified pollutants; proposed inspection and maintenance program; and method for ensuring maintenance of all BMPs over the life of the project. The approved measures

shall be shown on site, building and grading plans. Records of maintenance shall be maintained by SoCal Gas.

Timing: Prior to land use clearance approval, the SWQMP (or SWPPP) shall be submitted to P&D and Public Works Department, Water Resources Division. All measures specified in the plan shall be constructed and operational prior to building clearance. Maintenance records shall be submitted to P&D on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year the records shall be maintained by the landowner and be made available to P&D or Public Works on request.

Monitoring: P&D and Public Works, Water Resources Division shall site inspect prior to building clearance to ensure measures are constructed in accordance with the approved plan and periodically thereafter to ensure proper maintenance.

35. Special-Wat-5 Construction Materials Handling

Construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. shall be stored, handled, and disposed of in a manner which minimizes the potential for storm water contamination.

Plan Requirements and Timing: Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the grading plans submitted to P&D for review and approval.

Monitoring: P&D shall site inspect prior to the commencement of, and as needed during all, grading and construction activities.

36. Special-Wat-6 Trash Storage Area

SoCal Gas shall ensure that all trash container areas meet the following requirements: 1) Trash container areas must divert drainage from adjoining paved areas; and 2) Trash container areas must be protected and regularly maintained to prevent off-site transport of trash.

Timing: Effective throughout project construction.

Monitoring: P&D shall site inspect periodically ensure measures are constructed in accordance with the approved plan and to ensure proper maintenance.

37. Special-Wat-7 Loading Station

SoCal Gas shall adhere to the following design criteria for all loading/unloading dock areas: 1) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water; and 2) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

Plan Requirements and Timing: Prior to building plan approval, P&D staff shall verify that the plans comply with these requirements.

Monitoring: P&D shall site inspect to ensure these measures are constructed in accordance with the approved plan and periodically thereafter to ensure proper maintenance.

III. COUNTY RULES & REGULATIONS / LEGAL REQUIREMENTS

38. Development Plan Effective Date

Final Development Plan 12RVP-00000-00056 shall become effective upon final certification by the California Coastal Commission of Coastal Zoning Ordinance Amendment 08ORD-00000-00018.

39. Special-Rules-02 Effective Date - Appealable to California Coastal Commission

Coastal Development Permit 08CDP-00000-00185 shall become effective upon the effective date of Final Development Plan 12RVP-00000-000056, or, if the CDP is appealed to the Coastal Commission, it shall not be deemed effective until final action to approve the CDP by the Coastal Commission, whichever date occurs later.

40. Rules-03 Additional Permits Required

The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

41. Rules-05 Acceptance of Conditions

The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

42. Special-Rules-07 Development Plan Conformance

No permits for development, including grading, shall be issued except in conformance with the approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan.

43. Special-Rules-14 Final Development Plan Expiration

The Final Development Plan 12RVP-00000-00056 shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.

44. Special-Rules-11 Coastal Development Permit Expiration with a Development Plan

The approval or conditional approval of Coastal Development Permit 08CDP-00000-00185 shall be valid for one year after the effective date of Final Development Plan 12RVP-00000-00056. Prior to the expiration of the Coastal Development Permit approval, the County may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of such one-year time extension approved in compliance with Section 35-169.5, the review authority who approved the time extension may approve up to two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made.

The Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).

45. Rules-08 Sale of Site

The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

46. Rules-23 Processing Fees Required

Prior to issuance of the Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

47. Rules-25 Signed Agreement to Comply

Prior to issuance of the Land Use Permit, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

48. Rules-29 Other Dept Conditions

Compliance with Departmental/Division letters required as follows:

1. Fire Department dated June 4, 2013;
2. Flood Control - Water Agency dated November 24, 2008.

49. Rules-30 Plans Requirements

The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted

to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

50. Rules-31 Mitigation Monitoring Required

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

1. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
2. Pay fees prior to issuance of the Land Use Permit as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
3. Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and Mitigation Measures from 10EIR-00000-00001.
4. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

51. Rules-32 Contractor and Subcontractor Notification

The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner/Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

52. Rules-33 Indemnity and Separation

The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner/Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

53. Rules-37 Time Extensions

The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

EXHIBIT 5: Photo Simulations of the Drill Rig



Baseline photo of project area from South Los Carneros Road at Highway 101 looking southeast.



Photo simulation of Chase & Bryce 3/Todd 1&2 from South Los Carneros Road at Highway 101



Baseline photo from Placencia Street looking southeast.



Photo simulation of Chase & Bryce 3/Todd 1 & 2 drilling rig from Placencia Street looking southeast.



Baseline photo of project area from property boundary at More Ranch Road (at break in windrow) looking west.

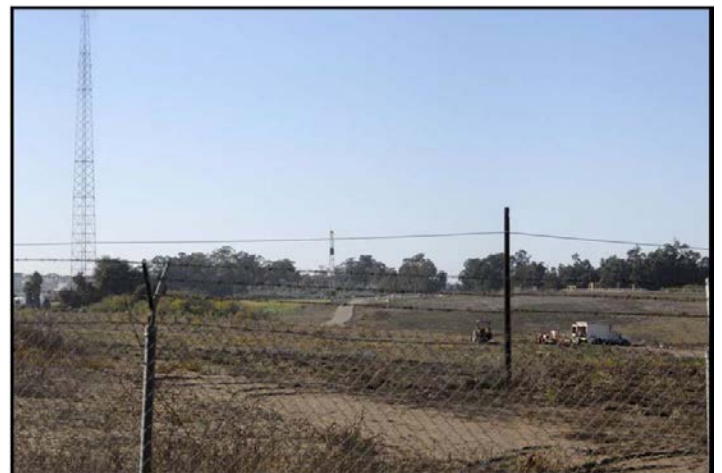


Photo simulation of Chase & Bryce 3/Todd 1 & 2 drilling rig from property boundary at More Ranch Road (at break in windrow) looking west.



Baseline photo from Goleta Beach Pier looking northeast.



Photo simulation of Chase & Bryce 3/Todd 1 & 2 drilling rig from Goleta Beach Pier looking northeast.



Baseline photo from Goleta Beach Pier looking northeast at night.



Photo simulation of Chase & Bryce 3/Todd 1 & 2 drilling rig from Goleta beach pier looking northeast at night.

EXHIBIT 6: Photos taken from the Atascadero Creek bike path facing the SoCal Gas facility



SoCal Gas administrative building

