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STAFF REPORT: REGULAR CALENDAR

Application No.:	**9-16-0464**
Applicant:	**Phillips 66 Company**
Location:	Guadalupe-Nipomo Dunes National Wildlife Refuge, San Luis Obispo County (**Exhibit 1**)
Project Description:	Decommissioning (cleaning, isolation, rendering inert and abandoning in place) of 1.4-mile long segments of three oil and gas pipelines
Staff Recommendation:	Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

Phillips 66 Company (Phillips 66) proposes to decommission segments of three buried oil and gas pipelines (comprising the Line 354 family of pipelines) occurring within the Guadalupe-Nipomo Dunes National Wildlife Refuge. Using up to eight access points within the Refuge, the 1.4-mile long, parallel pipeline segments would be cleaned, isolated, rendered inert and abandoned-in-place. At each work site, small sections of the pipeline would be excavated, breached to allow the removal of residual hydrocarbons, cleaned using a pipeline "pig", and resealed for permanent abandonment. The proposed project comprises a portion of a larger L354 pipeline decommissioning project, occurring within a 6.3-mile long Phillips 66-owned right-of-way running between the former Guadalupe Oil Field and the Phillips 66 Santa Maria Refinery

in Arroyo Grande, being carried out in accordance with the California Orphan Pipeline Abandonment Verification and Abandonment Work Plan.

The key Coastal Act issues raised by this project are (a) the potential for adverse impacts to environmentally sensitive habitat areas (ESHA), wetlands and sensitive species, and (b) the risk of spills or leaks of hydrocarbons and other hazardous materials. The proposed pipeline work would occur entirely within coastal dune ESHA, and would require vegetation clearing and ground disturbance on 0.5 acres of coastal dune scrub and active interior dune habitats. The project could directly or indirectly affect multiple rare and sensitive plant and wildlife species, including nesting birds, burrowing owl and American badger. To avoid and minimize these impacts, Commission staff recommends several special conditions designed to protect sensitive habitats and species. **Special Conditions 2**, **3** and **4** require pre-construction surveys to identify sensitive plants and animals, implementation of avoidance measures, the use of buffers to protect burrows and nesting sites, and the strict adherence to project work area boundaries. **Special Condition 5** requires biological monitoring to prevent impacts to sensitive species during project construction. **Special Condition 6** requires Phillips 66 to the prepare and enact a Habitat Restoration Plan to restore cleared or disturbed areas, prevent the spread of invasive weeds, and ensure that impacts to ESHA are temporary. **Special Condition 7** requires Phillips 66 to submit a plan and enact measures to minimize runoff, soil erosion, and sedimentation. In order to minimize the risk of spills and leaks of hydrocarbons, Phillips 66 would implement a three-tiered containment system during all pipeline work. Additionally, **Special Condition 8** requires the submittal and implementation of a Spill Prevention and Response Plan to further protect against the discharge of all hazardous substances into the surrounding environment.

As conditioned, the proposed project would protect against the significant disruption of ESHA, maintain coastal water quality and wetlands, and protect against spills, as required by Coastal Act Sections 30231, 30232 and 30240. However, the project would occur within ESHA, and pipeline decommissioning activities are not a resource-dependent use of this ESHA. Thus, the project is not a use that is allowed under Section 30240. Therefore, the project can only be found consistent with the Coastal Act through the "conflict resolution" provision (Section 30007.5).

The proposed project is necessary in order to safely abandon the idle pipelines and prevent leaks of residual hydrocarbons into the environment, where they would result in soil and groundwater contamination and impacts to coastal dune ESHA, sensitive species and coastal waters and wetlands. Thus, the benefits of the proposed project are consistent with Coastal Act policies affirmatively protecting ESHA, wetlands and water quality (Section 30231 and 30240), and denial of the project would be inconsistent with those policies. The staff therefore recommends that: (a) the Commission find the project creates a conflict between the allowable use test of the ESHA policy of the Coastal Act, on the one hand, and the ESHA, water quality and wetland protection policies, on the other; and (b) that the Commission approve the proposed project because, under the conflict resolution policy of the Coastal Act (Section 30007.5) authorization of the project would, on balance, be most protective of significant coastal resources.

Commission staff recommends **approval** of coastal development permit application 9-16-0464, as conditioned. The motion and resolution are on Page 4 of this report. The standard of review for this coastal development permit application is the Chapter 3 policies of the Coastal Act.

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APPENDICES

EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit 9-16-0464 subject to conditions set forth in the staff recommendation.*

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

Resolution:

The Commission hereby approves the Coastal Development Permit 9-16-0464 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by SCE or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration**. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation**. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment**. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

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

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Other Permits and Approvals.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall provide to the Executive Director copies of all other local, state, and federal permits required to perform project-related work. These permits and approvals include:

   (a) U. S. Fish and Wildlife Service: Final Special Use Permit and Categorical Exclusion for proposed work within Guadalupe-Nipomo Dunes National Wildlife Refuge

   Any changes to the approved project required by this agency shall be reported to the Executive Director. No changes to the approved project shall occur without a Commission amendment to this CDP unless the Executive Director determines that no amendment is legally required.

2. **Pre-Construction Biological Surveys & Sensitive Species Protection**. NO MORE THAN 30 DAYS BEFORE GROUND-DISTURBING PROJECT ACTIVITIES COMMENCE, the Permittee shall retain a qualified biologist to conduct focused surveys of all proposed construction, staging and access areas, and within a 300-foot buffer around these areas, for the presence of sensitive plant and wildlife species that might reasonably be expected to occur based on known habitat requirements or previous sightings. Sensitive species are defined as (i) state and federally-listed endangered, threatened, and candidate species; (ii) California species of special concern; (iii) fully protected or "special animal" species in California, and (iv) plants that are considered rare, endangered or of limited distribution by the California Department of Fish and Wildlife and California Native Plant Society. Sensitive wildlife surveys shall include the identification of potential burrowing owl and American badger burrows within the survey area. If sensitive species are present, the Permittee shall implement the following requirements:

   (a) Adjust or limit construction areas and access routes and construction timing to avoid impacts to individuals or colonies of sensitive species to the maximum extent feasible;

   (b) Where impacts to sensitive plant species are unavoidable, the Permittee shall develop and implement a sensitive plant species restoration program, using seeds and/or salvaged plants from the affected individuals or colonies to the extent feasible, to restore the affected species to the project area. The sensitive species restoration program shall be incorporated into the Habitat Restoration Plan (HRP) required under **Special Condition 6.**

   (c) If active burrowing owl or American badger burrows are identified during the surveys, the locations of the burrows shall be marked/flagged on project plans and in the field, a 25-foot buffer shall be established around the active burrows, and a qualified biological monitor shall be present on-site during all ground-disturbing project activities to ensure that these species are not harmed during construction (see **Special Condition 5**).

(d) At work sites where sensitive wildlife species are identified as present in the project area, the Permittee shall use appropriate barriers to movement (e.g., construction fencing or barricades) or setbacks to minimize wildlife movement into active construction areas.

3. **Project Limits**. The Permittee shall restrict construction activities and equipment to existing access roads and trails, pads, disturbed areas, and unvegetated areas to the maximum extent feasible. Project limit boundaries shall be shown on all project maps and drawings and clearly marked in the field prior to project activities, and work outside these limits shall be avoided during construction. All personnel shall be instructed not to perform any activities beyond the project limit boundaries.

4. **Protection of Breeding and Nesting Birds.** All project activities shall occur outside of the bird breeding season (February 15 through August 31) to the maximum extent feasible. If project activities between February 15 and August 31 cannot be avoided, within one week of the commencement of any new project activity a qualified biologist shall conduct nesting surveys at all sites where such activities would occur, and within a 500-foot radius of these sites. If breeding is observed or active nests located, no project activities or other disturbance shall occur within 300 feet (500 feet for raptors) of the breeding habitat or nests until any young birds have fledged and left the area.

5. **On-Site Biological Monitoring**. The Permittee shall retain one or more qualified biological observers to be present at active work sites during all project activities involving vegetation clearing, excavation and the use of trucks or heavy equipment. The biological observer shall monitor for the presence of sensitive wildlife in or near the project area, and shall monitor previously-identified burrowing owl and American badger burrows (see **Special Condition 2**) for signs of disturbance. At work sites or in situations where a single observer cannot reasonably provide coverage of the entire active work area, additional observers shall be provided. The observer(s) shall have the appropriate safety and monitoring equipment adequate to conduct their activities. For monitoring purposes, the observer(s) shall establish an avoidance zone that encompasses the entire active work site and no less than a 25-foot buffer around the work site. The observer(s) shall have the authority to temporarily halt any project activity that could result in harm to a sensitive species entering within the avoidance zone, and to suspend those activities until the animal has left the area.

6. **Coastal Dune Scrub Habitat Restoration**. PRIOR TO THE COMMENCEMENT OF PROJECT ACTIVITIES, the Permittee shall submit to the Executive Director for review and approval a Habitat Restoration Plan that assures the recovery and restoration of all cleared or disturbed coastal dune scrub habitat areas, at a 1:1 ratio of impact area to restored area. This plan shall include:

   (a) Documentation of the baseline, pre-project vegetation cover and plant species composition and abundance at each of the proposed project work sites;

   (b) Documentation of the total areal extent of habitat clearing and/or disturbance associated with project activities;

   (c) A description of restoration activities including specific methodologies for invasive species removal and native species re-establishment.

i. Invasive species removal activities shall occur immediately following the completion of project activities, and at least once annually during subsequent years until performance criteria for native species cover have been achieved (see below).

ii. If monitoring (see item (e), below) shows that "passive" revegetation of cleared or disturbed areas by native plants has not progressed within one year of project completion, the Permittee shall undertake active restoration consisting of the reseeding of the restoration sites with native plant species.

(d) Interim and final performance criteria for each of the two years of post-planting site monitoring that reflect a goal of achieving, at each individual restoration site, native species vegetative cover that matches or exceeds the pre-project native vegetative cover at that site, as documented in (a), above.

(e) A monitoring plan that describes the type of monitoring activities that will be used to assess whether the Permittee is meeting the required habitat restoration performance criteria.

(f) An adaptive management plan that includes contingency measures in case performance criteria are not achieved;

(g) A timeline for restoration implementation, monitoring and reporting activities.

Compliance with this plan shall include annual monitoring and reporting to the Executive Director for two years. If at the completion of the two year monitoring and reporting period (dated from the completion of planting activities), the Executive Director determines that the performance criteria described within the plan have not been met, Phillips 66 shall submit, within 120 days of the Executive Director's determination, a new Restoration, Monitoring and Mitigation Plan, for the Executive Director review and approval, that will provide for the restoration/rehabilitation of coastal dune scrub habitat at a 3:1 ratio of restored area to the project's original impact area.

7. **Soil Management and Erosion Control Plan:** PRIOR TO THE COMMENCEMENT OF PROJECT ACTIVITIES, the Permittee shall provide for the Executive Director's review and approval a Soil Management and Erosion Control Plan that describes all structural and non-structural measures the Permittee will implement to manage excavated soils, maintain dune slope stability, control fugitive dust, and avoid and minimize erosion and runoff-related impacts during construction activities. The Plan shall identify measures the Permittee will implement to store and/or contain materials, soils, and debris originating from the project in a manner that precludes their uncontrolled entry and dispersion into nearby swales or habitat areas. Any debris that inadvertently enters these areas shall be removed immediately. The Plan will identify Best Management Practices (BMPs) that will be implemented during project activities to prevent erosion and excessive sedimentation and to protect dune swales and upland habitats from sedimentation, stormwater runoff and fugitive dust associated with project activities.

8. **Spill Prevention and Response Plan.** PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit a project-specific Spill Prevention and Response Plan to the Executive Director for review and approval. The Plan shall identify the worst-case spill scenario and demonstrate that adequate spill response equipment will be available. The Plan shall also include a detailed description of all preventative measures (including the proposed three-tiered containment system) the Permittee will implement to avoid spills and clearly identify responsibilities of Permittee personnel and any contractors employed, and shall list and identify the location of oil spill response equipment and appropriate protocols and response times for deployment. Vehicles and heavy equipment left at the proposed laydown area during non-work hours shall have drip pans or other means of collecting dripped fuel, lubricants or other hazardous materials, which shall be collected and disposed of off-site. Response drills shall be in accordance with Federal and State requirements. Contracts with off-site spill response companies shall be in-place and shall provide additional containment and clean-up resources as needed.

9. **Future Soil Remediation**. The Permittee shall apply for and receive a Coastal Development Permit Amendment prior to undertaking any future subsurface investigations or soil remediation work stemming from soil screening activities included in the current project, unless the Executive Director determines that no amendment is legally necessary.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

Background

Phillips 66 proposes to decommission segments of three buried pipelines occurring within the Guadalupe-Nipomo Dunes National Wildlife Refuge (Refuge), in southwestern San Luis Obispo County (**Exhibit 1**). The project includes activities to expose, clean, render inert, and re-bury the pipelines at each of up to eight work locations.

The pipelines, collectively known as the Line 354 (L354) Family, are currently inactive, but were formerly used to transfer crude oil, diluent and natural gas over the 6.3 miles between the former Unocal Guadalupe Oil Field (currently the Chevron Guadalupe Restoration Project) and the Phillips 66 Santa Maria Refinery adjacent to Highway 1 in Arroyo Grande. The L354 pipelines are as follows:

- 354x1 (Pipeline 1) – an 8-inch pipeline originating at Tank Battery 8 and Tank Battery 9 within the Guadalupe Field, previously conveying crude oil to the refinery;
- 354x (Pipeline 2) – a 6-inch natural gas pipeline originating at the refinery, formerly conveying natural gas to the oil field Compressor Plant;
- 354x4 (Pipeline 4) – a 4-inch pipeline originating at the refinery, formerly conveying diluent to the oil field Diluent Tank and from there to Tank Battery 8 and Tank Battery 9.

Based on existing right-of-way documents, Pipelines 1 (oil) and 4 (diluent) are thought to have been constructed in the late 1950s. Pipeline 2 (gas) was added in the late 1970s. The exact date that the pipelines were removed from service is unknown, but they were likely inactivated prior to or concurrent with the cessation of oil production at the Guadalupe Oil Field in 1994. In response to a 2012 agreement with the California State Fire Marshal to comply with the

California Orphan Pipeline Abandonment Verification and Abandonment Work Plan, Phillips 66 is decommissioning and abandoning in place the L354 pipelines along the full 6.3 mile right-of-way. The southern segment of the L354 alignment occurs within the Guadalupe Restoration Project, while the northern segment crosses intact dunes and agricultural land enroute to the Santa Maria refinery; both of these segments fall under the jurisdiction of the San Luis Obispo County, which approved a Minor Use Permit and Coastal Development Permit (CDP) for the decommissioning activities on June 30, 2016. The middle segment of the L354 right-of-way, including approximately 1.4 miles of the pipeline alignment, occurs on federal land within the Refuge, and is the subject of the current CDP application before the Commission.

Project Location

The Guadalupe-Nipomo Dunes National Wildlife Refuge (**Exhibit 1**) was established in 2000 by the U.S. Fish and Wildlife Service (USFWS) in order to protect central California native coastal habitats and to support the recovery of federally-listed plant and wildlife species. The Refuge encompasses approximately 2,553 acres of coastal strand, foredune, coastal dune scrub and active interior dune habitat, as well as associated wetland habitats, including coastal dune swales, freshwater marshes and ponds and riparian woodlands (USFWS 2016a). The Commission previously reviewed the establishment of the Refuge boundary and Conceptual Management Plan as part of consistency determination CD-10-00 in March 2000. The L354 pipelines run southwest to northeast through the eastern portion of the Refuge, within a 1.4-mile long right-of-way held by Phillips 66.

A total of eight work sites (Sites 1 – 8, **Exhibit 2**), including six primary work sites and two secondary work sites, are proposed to complete pipeline decommissioning activities. The work sites were selected based on pipeline accessibility and the need to minimize impacts to coastal dune habitats and vegetation. Six of the eight proposed work sites are accessible along an existing off-highway vehicle (OHV) access road; as discussed below, temporary access trails would be constructed to Work Sites 3 and 7 (the secondary sites) if it becomes necessary to use these sites to complete the project.

Project Activities

Pipeline Excavation

In order to conduct pipeline decommissioning activities, Phillips 66 would expose relatively small portions of the buried pipelines at up to eight individual work sites (Sites 1 – 8) located on or near an existing off-road vehicle (OHV) road within the Refuge (**Exhibit 2**). At each work site, a backhoe would be used to excavate an approximately five by five foot area above the pipelines, which are believed to be buried at depths of approximately four feet below ground surface. Where a pipeline is located four feet or less below ground surface, the side walls of the excavation would be sloped at a 2:1 ratio with a 3:1 ratio ramped entrance to allow for workers to safely enter and work within the excavation. Where a pipelines is located more than four feet below ground surface, a six-foot wide, eight-foot long and 6-foot high shoring box would be employed to prevent the walls of the excavated area from collapsing. Phillips 66 states that approximately 3.7 cubic yards of excavation would occur at each work site. In addition to the excavated areas, each project site would also include areas for the staging and movement of project vehicles, equipment and personnel, and for the stockpiling of soil from the excavations. Phillips 66 estimates that the work areas at the various sites would range from 1,600 to 5,600 square feet (*see* **Table 2**, in Section IV.C, below). Excavation plans are shown in **Exhibit 3**.

Phillips 66 proposes to use Work Site 4 as a central staging area for all activities along the pipeline. Project vehicles and equipment would be parked at this site during non-work hours in a proposed laydown area, and an approximately 5-foot by 10-foot turnaround path would be cleared to allow for vehicle maneuvering.

Work Sites 3 and 7 are located 500 feet and 225 feet off of the existing OHV road, respectively, with no current access trail. Phillips 66 describes these sites as secondary work sites, to be used only if the proposed pipeline work cannot be completed at adjacent sites. If work at these sites becomes necessary, Phillips 66 would clear new, 8-foot wide access trails to the sites by trimming and or trampling existing vegetation.

Phillips 66 proposes to implement best management practices for storm water and erosion control at all work sites, and in particular at the base of soil piles and around disturbed areas.

Pipeline Breaching, Cleaning & Resealing
Following site excavation and pipeline exposure, a three-tier spill containment system would be positioned within the excavated area (**Exhibit 3**). Three-tier spill containment would consist of plastic sheeting covering the floor and sides of the excavation, an absorbent boom running along the perimeter of the excavation, a second layer of plastic sheeting overlapping the boom to create a basin, and a spill catch pan positioned directly underneath the pipeline breach point. The pipeline would then be breached via cold-tapping techniques to determine if fluids are present within. If fluids are present, they will be removed via a vacuum truck and temporarily stored in a fluid containment tank. Recovered fluids would be removed from the work location and project site at the end of the work day and transported to a secured, permitted facility for profiling and disposal at an approved Treatment, Disposal and Storage Facility. No recovered fluids would be discharged or allowed to drain into the ground.

Pipeline breaching and draining would be initiated at Work Site 4 due to its location at a low point in the pipelines, where fluids would be expected to collect. Breaching and draining would then occur at the other work sites. After all residual fluids have been removed from the pipeline, pipeline continuity and integrity tests would be performed, followed by cold cutting to provide access for cleaning. Once pipeline integrity is verified, a foam swab (known as a “pig”) would be inserted and pulled via vacuum truck through the pipeline, displacing residual fluids and cleaning the interior of the pipeline. Residual fluids would be collected and removed from the project site as described above. Following the cleaning of the pipelines, steel caps would be welded onto the cut ends of the pipeline and the pipeline would be purged (“inerted”) with nitrogen gas. The launching of the pig apparatus and nitrogen filling activities would occur at Work Site 4 due to its central location along the pipeline segment and the proximity of the project staging area.

At the conclusion of the pipeline work, the excavated areas would be backfilled with the stockpiled native soils, and the pipelines would be abandoned in place.

Soil Screening
All excavated soils would be screened for the presence of hydrocarbon contamination prior to being used for backfill. Soil screening would consist of visual inspection for staining and field testing for Volatile Organic Compounds (VOCs) using hand-held equipment. Any soils

suspected to be impacted would be segregated and placed on plastic sheeting, and samples would be collected for further analysis at a certified laboratory. If contamination is present, Phillips 66 would report the screening results to relevant agencies. Soil contamination that extends beyond the excavation boundaries would require a subsurface investigation to determine the extent of the impact plume. Excavations with impacted soil would be backfilled with clean native soil and returned to grade. The likely source of backfill material would be the approved Q-4 Borrow Site from the neighboring Guadalupe Restoration Project.

Habitat Restoration and Monitoring
Upon the completion of the proposed pipeline work, all work locations would be returned to pre-project surface elevations and would be passively restored through colonization by native vegetation. Non-native invasive species observed within the work area limits would be removed using hand tools to minimize the potential for invasion of the disturbed areas, but no active replanting of native vegetation is proposed. Phillips 66 proposes to conduct vegetation monitoring at the work sites during the spring and summer for two years following completion of the pipeline work, and to implement adaptive management measures if deficiencies in natural recruitment are identified.

Project Schedule, Duration and Equipment
Phillips 66 anticipates beginning the proposed project in the spring of 2017, as soon as possible upon receiving the necessary permits and an entitlement authorization from the U.S. Fish and Wildlife Service for work within the Refuge. Project activities (other than habitat restoration and monitoring) are expected to last approximately four weeks. Work would be performed Monday through Thursday, between 7 AM and 4 PM. The project would require the use of a rubber-tire backhoe, a vacuum truck , an all-terrain trailer to transport equipment, and approximately three 4x4 utility vehicles for crew transport.

B. OTHER AGENCY APPROVALS

U. S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service (USFWS) operates the National Wildlife Refuge System for the conservation, management, and restoration of fish, wildlife, and plant resources of the United States under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) and amendments, and regulates activities within the refuges. On April 13, 2015, the USFWS approved a Special Use Permit for Phillips 66 to conduct biological surveys of the project area, and is currently reviewing a new Special Use Permit for the proposed pipeline decommissioning work.

C. PROJECT ALTERNATIVES

The objective of the proposed project is decommission and permanently abandon the pipelines in a manner that would not result in future safety risks and environmental harm from leaks of residual hydrocarbons. The “no action” alternative, which would avoid the need for ground-disturbing activities within sensitive habitat areas, would result in the abandonment of the pipelines without the proposed cleaning, capping and inerting activities and would fail to address the risk of future leaks of residual hydrocarbons into the environment as the pipelines degrade over time. Thus, the “no action” alternative would not achieve the project objectives, and is considered infeasible.

Phillips 66 considered several alternative approaches for safely decommissioning the pipelines, including (a) full or partial removal of the pipelines, and (b) decommissioning and abandonment in place using a different number of work sites or accessing the pipelines from different locations. Full pipeline removal would require trenching and the establishment of a minimum 25-foot wide construction zone along the full 1.4-mile long pipeline alignment, in addition to new road construction for heavy equipment access. The vastly expanded scope of pipeline excavation necessary for full removal would result in a far greater extent and degree of habitat loss and disturbance within the Refuge in comparison to the proposed project. Partial removal, though less environmentally damaging than the full removal option, would nonetheless result in greater impacts to sensitive habitat than the proposed project.

Phillips 66 states that the proposed project has been scoped using the least number of work sites possible, while still accounting for equipment access and logistics. While the establishment of work sites at different locations would be possible, the proposed sites were selected in order to take advantage of the existing access trails and to minimize the need for the clearing of new trails and work spaces within the coastal dune vegetation. The use of alternative work sites would likely necessitate either an increase in the total number of sites or the construction of new access trails, both of which would be expected to increase impacts to sensitive habitat in comparison to the proposed project. The use of Work Site 4 in particular is necessary because it lies above a low point in the pipelines and is thus expected to have collected residual fluids that must be removed in order to successfully decommission the pipelines. Use of Work Site 4 would also allow for the pigging of the entire pipeline from a single location, which will help minimize the amount of equipment maneuvering and staging within habitat areas. With regard to the relatively long new access trails which may need to be constructed at Work Sites 3 and 7 (in the event these secondary sites are needed), Phillips 66 states that more direct routes to the work sites are infeasible due to the steepness and instability of the dune topography, which would prevent safe transit by project vehicles and equipment and potentially result in erosion of the dune faces.

Based on these considerations, the Commission finds that the proposed project, as modified by the special conditions described in subsequent sections of this report, represents the least environmentally-damaging feasible alternative for achieving the goals of the project.

D. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Section 30240 of the Coastal Act states:

> *(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*
>
> *(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Section 30107.5 of the Coastal Act states:

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

Section 30231 of the Coastal Act states:

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

The proposed project would occur entirely within and adjacent to the coastal dune habitats of the Guadalupe-Nipomo Dunes National Wildlife Refuge, an area that consists largely of environmentally sensitive habitat areas (ESHA) as defined by both the Coastal Act and County of San Luis Obispo Local Coastal Program (LCP). As discussed in Section IV.C, above, because the project consists of required decommissioning activities on existing pipelines, there are no alternative locations for the project that could entirely avoid ESHA.

The Refuge is part of the larger Guadalupe-Nipomo Dunes Complex, an 18-mile long, 20,000-acre expanse of coastal dunes extending from Pismo Beach to Point Sal. The Dunes Complex represents one of the last relatively intact ecosystems of its type and size in the western United States. In a 1980 inventory, the U.S. Fish and Wildlife Service described the Guadalupe-Nipomo Dunes ecosystem as "the most unique and fragile ecosystem in the State of California" and ranked it first on a list of 49 habitats in need of protection. The 2,553-acre Refuge, comprising approximately 13% of the larger Dunes Complex, was established to conserve central California coastal dune and associated wetland habitats and assist in the recovery of native plants and animals that are federally listed as threatened or endangered (USFWS 2016).

The Refuge consists of relatively undisturbed coastal sand dunes, including beach, foredune, and backdune habitat moving east and inland from the Pacific Ocean. Vegetation communities within the Refuge are dominated by coastal dune scrub, with scattered active interior dunes, dune swale wetlands, freshwater marshes and ponds, and riparian woodlands (**Exhibit 4**). Existing OHV access roads and trails, consisting of loose, exposed sand, cross through the Refuge, but the area is otherwise undeveloped. The coastal dune scrub community is recognized by the California Department of Fish and Wildlife (CDFW) in the California Natural Diversity Database as a rare natural community of highly limited distribution due to its scarcity and declining status in California (CDFG 2010). Coastal dunes, which are of limited natural distribution, have been further reduced and degraded by urban and other development. The remaining areas of coastal dune scrub in California are ranked by CDFW as S2.2 ("imperiled, moderately threatened in California") and are of high priority for conservation.

Given the rarity of dune habitats across the state, the Commission has considered dune plant communities, even those that are significantly degraded, to meet the definition of ESHA if they retain some connection to the beach or other dune areas, or if they are inhabited by plants or animals that are rare, endangered, or have other special status. In this case, the dune habitats within the Refuge, though in places degraded by invasive plants, remain largely intact, and together with the rest of the Dunes Complex, represent the largest contiguous stretch of dunes remaining in California. The dune system in the Refuge retains its connection to the beach and provides many important ecosystem functions, including foraging and breeding habitat for federally-listed species, including Western snowy plover, California least tern, and California red-legged frog. Although these species are unlikely to occur at the project work sites, which are located at a distance from the shoreline habitats favored by the snowy plover and least tern, and outside the freshwater wetland habitat of the red-legged frog, the project area has the potential to support other rare and sensitive species listed as Species of Special Concern by the CDFW, including coast horned lizard (*Phyrnosoma blainvillii*), silvery legless lizard (*Anniella pulchra pulchra*), burrowing owl (*Athene cuniculara*) and American badger *(Taxidea taxus*) (AECOM 2016).

Coastal dunes within the Refuge also provide habitat for a number of sensitive plant species, including two-federally listed, endangered species, La Graciosa thistle (*Cirsium scariosum* var. *loncholepsis*) and Nipomo mesa lupine (*Lupinus nipomensis*), and several species with California Rare Plant Ranks (CRPR) of 1B.1 or 1B.2, considered by the CDFW to be rare, threatened or endangered in California, with a moderate to high "degree and immediacy of threat." Sensitive plant species with the potential to occur at project sites are listed in **Table 1**, below. Based on the rarity of coastal dune scrub and associated wetland habitats in California, the high quality of the habitats and the presence of rare plant and animal species within the Refuge, and the fact that these resources could easily be disturbed or degraded by human activities or development, the coastal dune habitats at the project site meet the definition of ESHA in the Coastal Act.

Table 1: Sensitive Plant Species with Potential to Occur at Project Sites

Scientific Name	Common Name	Regulatory Status*	Distribution
Chenopodium littoreum	Coastal goosefoot	CRPR 1B.2	Occurs in Refuge; suitable habitat at work sites
Delphinium parryi spp. *blochmaniae*	Dune larkspur	CRPR 1B.2	Occurs in Refuge; suitable habitat at work sites
Erigeron blochmaniae	Blochman's leaf daisy	CRPR 1B.2	Occurs in Refuge; suitable habitat at work sites
Erysimum suffrutescens	Suffrutescent wallflower	CRPR 4.2	Occurs at one or more work site
Horkelia cuneate var. *sericea*	Kellogg's horkelia	CRPR 1B.1	Suitable habitat occurs in Refuge
Lupinus nipomensis	Nipomo mesa lupine	FE, SE, CRPR 1B.1	Not known to occur in Refuge; suitable habitat at work sites
Monardella undulata ssp. *crispa*	Crisp monardella	CRPR 1B.2	Occurs in Refuge; suitable habitat at work sites
Monardella undulata ssp. *undulata*	San Luis Obispo monardella	CRPR 1B.2	Occurs in Refuge; suitable habitat at work sites
Mucronea californica	California spineflower	CRPR 4.2	Occurs in Refuge; suitable habitat at work sites
Senecio blochmaniae	Blochman's ragwort	CRPR 4.2	Occurs at one or more work site

*CRPR = California Rare Plant Rank; FE = federally-listed endangered; SE = state listed endangered

Project Impacts to Sensitive Habitats
Potential impacts to sensitive habitats from proposed project activities fall into several categories: (1) direct habitat loss and disturbance due to project activities occurring within ESHA, including post-project invasion of disturbed areas by non-native weeds; (2) indirect impacts from erosion, noise and staging of equipment; (3) soil, wetland and groundwater contamination from spills or leaks of hazardous materials; and (4) habitat loss and disturbance related to potential future soil remediation activities.

Habitat Loss & Disturbance
In total, the project – including pipeline excavation, construction of new access roads, and the movement and staging of project equipment and vehicles – would result in direct impacts to approximately 21,600 square feet (0.5 acre) of coastal dune ESHA, of which 19,600 square feet (0.45 acre) would occur within vegetated native habitats (18,000 square feet of coastal dune scrub, 1,600 square feet of active interior dunes). Project impacts would consist of temporary habitat loss and disturbance due to vegetation clearing and trampling at up to eight work sites. The affected areas for each work site are listed in **Table 2**, below:

Table 2: Work Sites & Habitat Impacts

Work Location	Habitat Type	Estimated Work Area (square feet)	Estimated Excavation Volume (cubic yards)
1	Coastal dune scrub	1,600	3.7
2	Coastal dune scrub	1,600	3.7
3	Coastal dune scrub	5,600	3.7
4	Coastal dune scrub	4,600	3.7
5	Active interior dune	1,600	3.7
6	Coastal dune scrub	1,600	3.7
7	Coastal dune scrub	3,400	3.7
8	Coastal dune scrub	1,600	3.7
Total:		**21,600**	**29.6**

Biological surveys conducted in May 2015 found that the coastal dune scrub vegetation at seven of the eight project work sites consisted primarily of a diverse mixture of common native plant species. California goldenbush (*Ericameria ericoides*), *Carex* sedges, silvery lupine (*Lupinus* argenteus), horkelia (*Horkelia* spp.), cryptantha (*Cryptantha* spp.) and croton (*Croton* spp.) were the most commonly-observed plant types (AECOM 2016). However, as noted above, the project sites contain suitable habitat for several rare and sensitive plant species (**Table 1**), which could be affected where individuals occur within or in the vicinity of the work sites.

In addition to the native plant species present at the project sites, the 2015 survey also documented the presence of several non-native, invasive species, including veldt grass (*Ehrharta calycina*), iceplant (*Carpobrotus edulis*) and brome grasses (*Bromus* spp.). Veldt grass occurred at least at six of the eight sites, and was a dominant or co-dominant species in portions of Sites 7 and 8. *Bromus* grasses were present at four sites, while iceplant occurred at Site 2. These species are successful invaders because of their ability to rapidly expand into disturbed areas.[1] Thus

[1] California Invasive Plant Council (Cal-IPC) plant profiles, http://cal-ipc.org/ip/management/plant_profiles/index.php. Accessed January 25, 2017.

there is a risk that the proposed project, through clearing and/or disturbing existing areas of native vegetation, could facilitate the spread of invasive species, potentially preventing site recovery and degrading habitat values within ESHA.

As described in its CDP application materials, Phillips 66 has designed the proposed project to use a minimum number of work sites, and wherever possible, to carry out project activities within existing access trails and unvegetated areas. Prior to the beginning of project activities, Phillips 66 proposes to carry out pre-construction surveys to identify sensitive habitats and species within the proposed work areas, and to use fencing and flagging to demarcate and avoid sensitive areas to the extent feasible. Phillips 66 also proposes to carry out restoration activities at each work location immediately following the completion of the pipeline decommissioning activities. The restoration work is described as follows in the submitted *Biological Resources Report* (AECOM 2016a):

> *Stockpiled top soil will be replaced in areas subject to excavation, and pre-construction surface soil contours will be restored throughout the work areas, laydown areas, and any access trails used. Native vegetation from adjacent habitats will be permitted to passively recolonize the disturbed areas … Limited weed control may be necessary to prevent the incursion and establishment of invasive plant species in the disturbance area during the re-establishment of native vegetation. Implementation of weed control measures will be assessed and conducted as needed.*

With the implementation of the proposed protection measures and restoration activities, Phillips 66 concludes that project impacts to coastal dune ESHA would be minor and temporary.

In order to minimize project impacts to sensitive plant species, and to formalize Phillips 66's proposed protection measures, the Commission is including **Special Condition 2**, which requires Phillips 66 to carry out pre-construction surveys of all proposed construction, staging and access areas for the presence of sensitive plant species, and to the maximum extent feasible, adjust or limit project activities to avoid impacts to individuals or colonies of sensitive species. Where federally-listed, state-listed and CRPR Rank 1B species are detected and impacts are unavoidable, Phillips 66 shall develop and implement a salvage, propagation, replanting and mitigation program, to be submitted to the Executive Director for review and approval, prior to commencing any activity that could potentially impact the sensitive species. In addition, the Commission is adopting **Special Condition 3**, which requires Phillips 66 to clearly delineate and demarcate the limits of all project work areas, access routes and staging/laydown areas on project plans and in the field, and to avoid project activities beyond these limits during construction.

Even with these protections in place, the project would result in at least the temporary clearing or disturbance of approximately 0.5 acres of environmentally-sensitive habitat as defined by the Coastal Act. The duration and significance of this disruption of habitat values will depend to a large degree on the successful implementation of habitat restoration activities over a period of several years. Passive restoration, which depends on the natural dispersal of native plant species into a disturbed area, has been used previously in coastal dune scrub habitat restoration efforts in the neighboring Guadalupe Restoration Project (GRP) area, and may prove to be a viable approach for restoring habitat areas affected by the proposed project. Phillips 66's proposed approach to restoration is acceptable to the USFWS (M. Brady, USFWS, pers. comm.). However, prior restoration efforts in the GRP have shown that passive restoration has tended to

be most successful in long, narrow corridors of disturbance, with intact coastal dune scrub vegetation nearby to provide a ready seed source, and where non-native, invasive weeds are absent or in low abundance. Within the Refuge, including the proposed work sites, the native vegetation community is already under pressure from non-native plant species, in particular veldt grass and *Bromus* grass. Thus, the success of habitat restoration at the work sites will depend not only on successfully re-establishing native species, but also on preventing the spread of invasive weeds, which can rapidly colonize and out-compete native species within disturbed areas. The brief description of the proposed post-construction restoration activities provided by Phillips 66 anticipates the need for some amount of weed control, but does not provide a detailed restoration plan, including a restoration baseline, benchmarks and performance criteria, sufficient to assure the success of the proposed habitat restoration.

In order to minimize the disruption of habitat values at the project work sites, and to ensure the successful restoration of affected coastal dune scrub ESHA, the Commission is including **Special Condition 6**, which requires Phillips 66, prior to the commencement of project activities, to submit a Habitat Restoration Plan (HRP) for the review and approval of the Executive Director. The Plan shall include the collection of pre-project baseline data to inform restoration performance criteria, weed control measures to prevent the spread of invasive species, regular monitoring and reporting to evaluate the progress of restoration efforts, and adaptive management/contingency measures to be implemented in the event that performance criteria are not being met. The HRP shall cover two years of restoration work, as proposed by Phillips 66; however, if at the end of this period the Executive Director determines that the performance criteria described within the HRP have not been met, **Special Condition 6** requires Phillips 66 to prepare and implement a new restoration and mitigation program to restore the areas disturbed by the project and provide additional mitigation, at a 3:1 ratio, to compensate for temporal losses of habitat.

With the implementation of the requirements of **Special Conditions 2** and **3**, and with the inclusion of a comprehensive habitat restoration plan as required by **Special Condition 6**, the Commission finds that coastal dune scrub ESHA occurring within the footprint of the proposed project would be protected against significant disruption of habitat values. However, none of these measures would change the fact that the project would occur within the ESHA, nor that the proposed pipeline decommissioning activities are not a resource-dependent use of this ESHA. As such, the Commission finds the project is not a use that is allowed under Section 30240(a) of the Coastal Act, which requires that ". . . only uses dependent on those resources shall be allowed within . . . [environmentally sensitive habitat] areas." Therefore, the only way the Commission could approve the project would be if it finds the project consistent with the Coastal Act through the "conflict resolution" provision contained in Section 30007.5.

Soil Disturbance & Erosion

In addition to directly disrupting coastal dune scrub ESHA through vegetation clearing, excavation and the use of heavy equipment and vehicles within the coastal dune system could result in the disturbance, shifting and erosion of dune soils and the generation of fugitive dust. The intentional or unintentional redistribution dune soils could result in the burial or disturbance of native vegetation outside the proposed work areas, erosion of dune slopes, or increased

sedimentation within a dune swale wetlands located near Work Sites 4 and 8 (**Exhibit 5**).[2] In order to minimize the potential for adverse effects to ESHA and sensitive species from construction-related erosion and sedimentation, the Commission is including **Special Condition 7**, which requires Phillips 66 to submit a Soil Management and Erosion Control Plan to the Executive Director for review and approval that identifies Best Management Practices to manage dune soils and slope stability, control erosion, runoff and sedimentation, and control fugitive dust during project activities.

Impacts to Sensitive Wildlife

In addition to the habitat impacts described above, adverse impacts to sensitive wildlife species (e.g., coast horned lizard, silvery legless lizard, burrowing owl, American badger, and nesting birds) could occur during project activities as a result of collisions with heavy equipment, and temporary disturbance related to construction activity, noise and vibration. Phillips 66 estimates that noise emissions from the use of a backhoe during excavation could reach 78 to 80 decibels (dBA), which, while not directly harmful to most species, would likely induce avoidance behaviors and could result in nest abandonment by avian species if project activities were to occur during the nesting season. In order to protect nesting birds during project activities, Phillips 66 has proposed to conduct pre-project nesting bird surveys within and adjacent to the project site, and, if nesting or breeding activity is detected, to establish a 300-foot (500-foot for raptors) exclusion zone, to be kept free of disturbance, around the breeding habitat or nesting site, until the juvenile birds have fledged and left the area. The Commission is incorporating this commitment into this CDP as **Special Condition 4**. More generally, **Special Condition 2** requires pre-project surveys of the work sites and within a 300-foot buffer for the presence of sensitive wildlife, including burrowing owl, American badger, and sensitive reptile species, and the implementation of protective measures, including buffers around active burrows and the use of barriers to restrict wildlife movement into active work areas.

In addition, Phillips 66 proposes to designate an onsite environmental coordinator, to be present during ground-disturbing project activities, who would have the discretion to assign a biological observer to monitor any work area where sensitive species could potentially be affected. Given that the entire project area occurs in suitable habitat for several sensitive wildlife species, the Commission is adopting modified work site biological monitoring requirements in **Special Condition 5**. Under this condition, Phillips 66 shall designate one or more qualified biological observers to be present during all phases of the project which involve either ground-disturbing activities or the use of heavy equipment. The biological observer(s) shall be stationed at each active work site to monitor the work area and adjacent habitat for the presence of sensitive wildlife species. If a sensitive species is observed in or near the active work area and is at risk of harm, the biological monitor shall have the authority to suspend work until the animal has left the area or is no longer at risk.

Contaminant Spills & Leaks

Adverse effects to sensitive species and habitats could also occur through the spill or discharge of hydrocarbons from the existing pipelines or project vehicles during proposed project

[2] A larger dune swale, located approximately 1,300 feet southeast of Work Site 4, is unlikely to be directly affected by project-related erosion and sedimentation.

activities. In the absence of effective spill response, such a discharge could contaminant the soil or groundwater, potentially harming sensitive coastal dune scrub ESHA or affecting water quality in nearby dune swale wetlands. As discussed below in Section IV.D (Spill Prevention and Response), Phillips 66 proposes to implement a three-tier containment system in order to prevent accidental leaks or spills during pipeline work from escaping into the environment, while **Special Condition 8** requires Phillips 66 to prepare and implement a project-specific Spill Prevention and Response Plan containing measures to further minimize the risk of impacts from a spill of hazardous materials.

Future Soil Remediation Activities

In addition to the proposed pipeline decommissioning work, Phillips 66 proposes to conduct limited soil screening at the project work sites to test for hydrocarbon contamination related to the past operation of the pipelines. In the event contaminants are detected, Phillips 66 would backfill the excavation area with stockpiled native soil and report the screening results to relevant state and federal agencies pending further soil testing. Phillips 66 states that contamination extending beyond the excavation boundaries will "require a subsurface investigation to determine the extent of the impact plume", and further remediation efforts and soil removal may prove to be necessary. At present, the need for and scope of these future investigations and remediation measures remains unknown, as do any potential adverse environmental effects that could result, such as the significant disruption of ESHA. In order to avoid and mitigate for potential impacts to coastal resources that could result from a future subsurface investigation and/or soil remediation project, the Commission is including **Special Condition 9**, which requires Phillips 66 to apply for a Coastal Development Permit Amendment for any future subsurface investigations or soil remediation work stemming from the soil screening activities included in the proposed project.

Conclusion

For the reasons discussed above, the Commission finds that the proposed project, as conditioned by **Special Conditions 2 – 9**, will maintain and protect water quality and coastal wetlands, consistent with Coastal Act Section 30231. The proposed project, however, will take place in ESHA and is not a resource dependent use. As a result, the Commission finds that the project is inconsistent with Coastal Act Section 30240. Therefore, the only way the Commission could approve this coastal development permit would be if it finds the project consistent with the Coastal Act through the "conflict resolution" provision contained in Section 30007.5.

E. Spill Prevention and Response

Coastal Act Section 30232 states:

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

This Coastal Act policy requires protection against spills of hazardous substances and effective management of spills should they occur. The most likely project-related spills include: (a) accidental release of crude oil or diluent during the breaching, draining and cleaning of the existing pipelines; and (b) a release of fuel from construction vehicles and heavy equipment.

As described in Section IV.A, above, Phillips 66 proposes to implement a three-tier spill containment system during pipeline breaching activities, which would provide multiple layers of protection against a release of hydrocarbons to the environment. However, the CDP application submitted by Phillips 66 does not describe this containment system in detail or contain a formal plan for preventing or responding to spills of hydrocarbons or other hazardous materials, nor does it address the potential for releases of fuel or other hazardous materials from project equipment and vehicles, which would be parked at Work Site 4, within sensitive dune habitat, overnight and during other non-work periods.

In order to minimize the potential for accidental spills or leaks, and to assure that any spills that do occur are properly mitigated, the Commission is including **Special Condition 8**, which requires Phillips 66 to submit, for the review and approval of the Executive Director, a project-specific Spill Prevention and Response Plan (SPRP). The SPRP shall include a detailed description of the proposed three-tier spill containment system along with other preventative measures, including regular maintenance and monitoring of project vehicles and equipment, the use of a designated, off-site paved refueling area for project vehicles and equipment, the use of drip pans beneath vehicles and equipment when parked or inactive at the Site 4 laydown area, and the storage of any on-site fuels and hazardous chemicals within secondary containment. The SPRP shall also describe procedures for responding to leaks or spills, identify the locations of spill response equipment, identify worst-case spill scenarios and demonstrate that adequate spill response equipment is available for each, and include a plan for training workers in spill prevention and response.

As conditioned, the Commission finds that the proposed project will be carried out in a manner that protects against spills of hazardous substances and provides for effective containment and cleanup should a spill occur, and is therefore consistent with Coastal Act Section 30232.

F. CULTURAL RESOURCES

Coastal Act Section 30244 states:

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

Historic and cultural resources are places or objects that possess historical, cultural, archaeological or paleontological significance and include sites, structures, or objects significantly associated with, or representative of earlier people, cultures and human activities and events. Although no historic structures are present and no paleontological resources are known to exist in the project area, the proposed project is located within the historic territory of the Obispeno Chumash, and a number of middens are known to exist throughout the Guadalupe-Nipomo dune complex. Thus, there is some potential that project activities, in particular the excavation of the buried pipelines, could disturb previously-unknown archaeological resources. However, because the areas immediately surrounding the pipelines were previously disturbed during installation and due to the relatively small amount of excavation proposed at each pipeline site (approximately 3.7 cubic yards), the risk of encountering prehistoric materials during excavation is low.

As a condition of its approval of a Minor Use Permit/CDP for the L354 pipeline decommissioning project in areas outside the Refuge, San Luis Obispo County included the following mitigation measure:

> ***Cultural Resource Protection***. *Remediation activities requiring ground disturbance shall be monitored by a County-qualified archaeologist and local Native American representative, who shall be retained by the applicant* ***prior to work starting****. In the event potentially significant archaeological materials are identified, work shall be temporarily redirected and the applicant shall retain a county-qualified archaeologist and any other appropriate individuals (e.g., Coroner for human remains) to perform additional assessments of the find. If the materials (excluding human remains) are determined to be significant under CEQA Appendix K criteria, the applicant shall retain a County-qualified archaeologist to perform a Phase 3 data recovery mitigation program to collect a representative sample of the materials that would be lost. Once the Phase 2 and/or 3 work is completed (or other required processes for human remains), construction work may resume.* ***Prior to final inspection****, a report of the results of all documents prepared shall be provided to the County.*

In order to minimize potential impacts to archaeological and cultural resources, Phillips 66 would implement the resource protection measures contained in this special condition as a part of the proposed project, at all work sites within the Refuge.

The Commission finds that with these measures in place the project will not adversely impact cultural resources and is therefore consistent with Section 30244 of the Coastal Act.

G. COASTAL ACCESS, RECREATION AND VISUAL RESOURCES

Coastal Act Section 30210 states:

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

Coastal Act Section 30220 states:

> *Protection of certain water-oriented activities Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Coastal Act Section 30221 states in part:

> *Oceanfront land suitable for recreational use shall be protected for recreational use and development …*

Coastal Act Section 30251 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.*

Public access and recreation within the Guadalupe-Nipomo Dunes NWR are strictly controlled by the USFWS. Public access is limited to the Refuge's approximately two-mile long beach and shoreline, and is generally prohibited within the inland dune areas, which are surrounded by exclusion fencing on three sides. Since the proposed project would occur entirely within the inland portion of the Refuge, at least 1.5 miles from publicly-accessible beaches (**Exhibit 2**), it would have no significant adverse impact on coastal access or recreation.

Due to the distance from the shoreline and the rolling topography of the intervening dunes, project activities would not be readily visible from the beach. On the inland side, project sites would be located at least ¾-mile from the nearest public road (Oso Flaco Lake Rd.) and two miles seaward of Highway 1, and thus would not result in any significant or permanent changes to coastal views.

For these reasons, the Commission finds that the proposed project would be consistent with the public access, recreation and visual resources policies of the Coastal Act.

H. CONFLICT BETWEEN COASTAL ACT POLICIES

Section 30200(b) of the Coastal Act states:

> *Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.*

Section 30007.5 of the Coastal Act provides for the Commission to resolve conflicts between Coastal Act policies as follows:

> *The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner that on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.*

As discussed in Section IV.D, above, the proposed project is inconsistent with Section 30240 of the Coastal Act because the pipeline decommissioning activities would occur within coastal dune ESHA but are not a resource-dependent use of the ESHA. However, if the Commission denied the development, the pipelines would remain in place without being cleared of hydrocarbons, potentially leading to significant impacts to coastal resources, including ESHA, wetlands and

water quality, and thus to inconsistency with Coastal Act policies protecting these resources (Sections 30231 and 30240). In such a situation, when a proposed project is inconsistent with a Chapter 3 policy and denial or modification of the project would be also be inconsistent with other Chapter 3 policies, Section 30007.5 of the Coastal Act provides for resolution of such a policy conflict in a manner that is most protective of coastal resources.

Applying Section 30007.5

The standard of review for the Commission's decision on a coastal development permit in the Commission's retained jurisdiction is whether the proposed project is consistent with the Chapter 3 policies of the Coastal Act. In general, a proposal must be consistent with all relevant policies in order to be approved. If a proposal is inconsistent with one or more policies, it must normally be denied or conditioned to make it consistent with all relevant policies.

However, the Legislature recognized through Sections 30007.5 and 30200(b) that conflicts can occur among those policies. It therefore declared that when the Commission identifies a conflict among the policies of Chapter 3, the conflict is to be resolved "in a manner which on balance is the most protective of significant coastal resources", pursuant to Coastal Act Section 30007.5.

Resolving conflicts through application of Section 30007.5 involves the following seven steps, each of which is explained in greater detail below, followed by how each applies to the proposed project:

1) The project, as proposed, is inconsistent with at least one Chapter 3 policy;
2) The project, if denied or modified to eliminate the inconsistency, would affect coastal resources in a manner inconsistent with at least one other Chapter 3 policy that affirmatively requires protection or enhancement of those resources;
3) The project, if approved, would be fully consistent with the policy that affirmatively mandates resource protection or enhancement;
4) The project, if approved, would result in tangible resource enhancement over existing conditions;
5) The benefits of the project are not independently required by some other body of law;
6) The benefits of the project must result from the main purpose of the project, rather than from an ancillary component appended to the project to "create a conflict"; and,
7) There are no feasible alternatives that would achieve the objectives of the project without violating any Chapter 3 policies.

1) The project, as proposed, is inconsistent with at least one Chapter 3 policy:

For the Commission to apply Section 30007.5, a proposed project must be inconsistent with an applicable Chapter 3 policy. As discussed in Section IV.D, above, because the proposed pipeline decommissioning activities would occur entirely within an intact coastal dune scrub ecosystem supporting several rare and sensitive plant and wildlife species, the project is located with an environmentally sensitive habitat area but is not consistent with the "allowable use" test of Section 30240(a) of the Coastal Act, which requires that "… only uses dependent on those resources shall be allowed within … [environmentally sensitive habitat] areas." Therefore, proposed project is inconsistent with Coastal Act Section 30240.

2) The project, if denied or modified to eliminate the inconsistency, would affect coastal resources in a manner inconsistent with at least one other Chapter 3 policy that affirmatively requires protection or enhancement of those resources:

A true conflict between Chapter 3 policies results from a proposed project which is inconsistent with one or more policies, and for which denial or modification of the project would be inconsistent with at least one other Chapter 3 policy. Further, the policy inconsistency that would be caused by denial or modification must be with a policy that affirmatively mandates protection or enhancement of certain coastal resources. If the Commission were to deny this proposed project, the Line 354 pipelines would remain in place without being cleaned. Over time, the residual hydrocarbons in these pipelines would eventually leak and spill into the ESHA and wetlands within which the pipelines are sited. Therefore, denial of the pipeline decommissioning project would be inconsistent with at least two policies of this type –Section 30231, which requires, in part, that the quality of coastal waters and wetlands "shall be maintained"; and Section 30240, which requires, in part, that environmentally sensitive habitat areas "shall be protected against any significant disruption of habitat values" *[emphasis added in each]*. In most cases, denying a proposed project will not cause adverse effects on coastal resources for which the Coastal Act mandates protection or enhancement, but will simply maintain the status quo. Where denial of a project would result in such effects, as with the proposed project because leaked hydrocarbons would significantly adversely affect ESHA and wetlands, a conflict between or among two or more Coastal Act policies is presented.

3) The project, if approved, would be fully consistent with the policy that affirmatively mandates resource protection or enhancement:

For denial of a project to be inconsistent with a Chapter 3 policy, the proposed project would have to protect or enhance the resource values for which the applicable Coastal Act policy includes an affirmative mandate. That is, if denial of a project would conflict with an affirmatively mandated Coastal Act policy, approval of the project would have to conform to that policy. If the Commission were to interpret this conflict resolution provision otherwise, then any proposal, no matter how inconsistent with Chapter 3, that offered a slight incremental improvement over existing conditions could result in a conflict that would allow the use of Section 30007.5. The Commission concludes that the conflict resolution provisions were not intended to apply to such minor incremental improvements.

As discussed previously in Section IV.D, the proposed project is designed to drain residual hydrocarbons from the idle pipelines, thoroughly clean the pipelines, and reseal the pipelines for permanent abandonment. These activities would prevent the releases of toxic, hazardous materials that would adversely affect the biological resources mentioned above. As modified by **Special Conditions 2 – 9**, the proposed project would protect against significant disruption of habitat values within ESHA and maintain the quality of coastal waters and wetlands, and is therefore fully consistent with Coastal Act Section 30231, and with the provisions of Section 30240 that affirmatively mandate the protection of ESHA.

4) The project, if approved, would result in tangible resource enhancement over existing conditions:

This aspect of the conflict between policies may be looked at from two perspectives – either approval of the project would result in improved conditions for a coastal resource subject to an

affirmative mandate, or denial or modification of the project would result in the degradation of that resource.

Approval of the proposed project would result in the removal of hazardous materials from idle pipelines, eliminating the eventuality that these substances would be released into the environment as the pipelines deteriorate over time, leading to the contamination of the surrounding soil and groundwater, the degradation of nearby sensitive habitats, including coastal dune scrub ESHA and dune swale wetlands, and potential toxicity to any sensitive species dependent upon these habitats, in violation of the Coastal Act's water quality, wetland protection and ESHA policies.

Denial of the proposed project would result in the pipelines, including their current contents, consisting of an unknown volume of residual hydrocarbons (crude oil, diluent, etc.) being left in their current condition indefinitely. Although robustly designed, the existing pipelines are over 60 years old, and are subject to chemical weathering processes (often enhanced in damp, saline coastal environments) and physical stressors (e.g., shifting sand, earthquakes) that inevitably degrade the integrity of the pipeline walls. At some point in the future, a sudden event, such as an earthquake, or on-going weathering, will breach the pipelines, releasing the residual fluids into the surrounding soil. Over time, the accumulation of such failures can be expected to release the entire remaining contents of the pipelines. Given the age of the pipelines and the presumed lack of recent maintenance since the pipelines were idled, there is some present risk of failure that will only increase in the future. Depending on site-specific sub-surface conditions, some of these released contaminants may enter the underlying groundwater, which is hydrologically-connected to surrounding dune swales. Many components of crude oil and diluent are highly toxic. If released into the soil or water table, these substances could degrade the quality of the soil in coastal dune scrub ESHA, or of the water in dune swale wetlands, adversely affecting the health of both common and sensitive plant and wildlife species. Any of these consequences of leaving the pipelines in place without the benefit of the decommissioning activities would be inconsistent with Coastal Act policies established to protect marine life, water quality, and sensitive habitat areas. If approved, these risks would be avoided and ESHA and wetlands would be protected, as affirmatively required by the Coastal Act. Therefore, approval of the project results in resource enhancements over existing conditions.

5) The benefits of the project are not independently required by some other body of law: The benefits that would cause denial of the project to be inconsistent with a Chapter 3 policy cannot be those that the project proponent is already being required to provide pursuant to another agency's directive under another body of law. In other words, if the benefits would be provided regardless of the Commission's action on the proposed project, the project proponent cannot seek approval of an otherwise-unapprovable project on the basis that the project would produce those benefits. In essence, the project proponent does not get credit for resource enhancements that it is already being compelled to provide. In this case, the benefits of the project would not be provided in the absence of the Commission's approval of this project. Phillips 66 could not clean the pipes and prevent the spill of hazardous materials into ESHA and wetlands if the Commission denied this CDP. In addition, Phillips 66 is proposing the pipeline work in accordance with a 2012 agreement with the California State Fire Marshal to comply with the California Orphan Pipeline Abandonment Verification and Abandonment Work Plan, but the project is not being mandated by the State Fire Marshal or any other regulatory body, nor is it

required under any other body of law. Thus, this test is also met because the benefits of the project to ESHA and wetlands would not be provided if the Commission were to deny the proposed project.

6) The benefits of the project must result from the main purpose of the project, rather than from an ancillary component appended to the project to "create a conflict":

A project's benefits to coastal resources must be integral to the project purpose. If a project is inconsistent with a Chapter 3 policy, and the main elements of the project do not result in the cessation of ongoing degradation of a resource the Commission is charged with enhancing, the project proponent cannot "create a conflict" by adding to the project an independent component to remedy the resource degradation. The benefits of a project must be inherent in the purpose of the project. If this provision were otherwise, project proponents could regularly "create conflicts" and then request that the Commission use Section 30007.5 to approve otherwise unapprovable projects. The balancing provisions of the Coastal Act could not have been intended to foster such an artificial and easily manipulated process, and were not designed to barter amenities in exchange for project approval.

The main and only purpose of the proposed project is to allow for the permanent abandonment of the idle pipelines in a condition that would eliminate present and future risks to safety and of environmental degradation. The benefits of the project result directly from the main purpose, and not from any ancillary component.

7) There are no feasible alternatives that would achieve the objectives of the project without violating any Chapter 3 policies:

Finally, a project does not present a conflict among Chapter 3 policies if at least one feasible alternative would meet the project's objectives without violating any Chapter 3 policy. Thus, an alternatives analysis is a condition precedent to invocation of the balancing approach. If there are alternatives available that are consistent with all of the relevant Chapter 3 policies, then the proposed project does not create a true conflict among those policies.

The objective of the proposed project, as noted above, is to render the existing, idle pipelines suitable for permanent abandonment, and to eliminate the present and future risks to safety and the environment from hydrocarbon leaks that are posed by the pipelines in their current state. Accordingly, the "no action" alternative would not achieve the project objectives. As discussed in greater detail in Section IV.C, above, Phillips 66 evaluated a number of alternative project designs that would access the pipelines at different locations, or using a different number of work sites. However, in all cases, the alternative project designs would still require project activities to occur within coastal dune scrub ESHA, in violation of the allowable-use policy of Coastal Act Section 30240. Moreover, Phillips 66 determined, and the Commission concurs, that the proposed project design would minimize impacts to ESHA in comparison to these alternatives.

Existence of a Conflict Between Chapter 3 Policies

Based on the above, the Commission finds that the proposed project presents a conflict between the allowable use policy of Section 30240, on the one hand, and Sections 30231, and 30240, on the other, that must be resolved through application of Section 30007.5, as described below.

Conflict Resolution

After establishing a conflict among Coastal Act policies, Section 30007.5 requires the Commission to resolve the conflict in a manner that is on balance most protective of coastal resources. In this case, the proposed project would result in a non-resource dependent use occurring within an environmentally sensitive habitat area, thus making it inconsistent with the allowable use policy of Coastal Act Section 30240. However, denying the project because of its inconsistency with this policy would result in significant adverse effects to coastal water quality, wetlands and ESHA due to the eventuality of future hydrocarbon leaks from the idled pipelines, and would thus be inconsistent with the affirmative policies of Sections 30231 and 30240 to protect and maintain these resources. With the inclusion of **Special Conditions 2 – 9** to avoid and minimize the proposed project's potential impacts on coastal resources, as described in previous sections, the Commission finds that the impacts on coastal resources from not carrying out the project would be more significant and adverse than impacts stemming from the project's location within ESHA, which would be addressed by the special conditions. The Commission therefore concludes that the project would, on balance, be most protective of significant coastal resources, consistent with Coastal Act Section 30007.5. As such, it is consistent with Chapter 3 as a whole, and the Commission therefore approves the coastal development permit, as conditioned.

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed development has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing biological resources, environmentally sensitive habitat areas, water quality and oil spill prevention and response, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

Appendix A: Substantive File Documents

***Coastal Development Permit Application Materials**:*

Application and Application File for Coastal Development Permit No. 9-16-0464

***Coastal Commission Documents*:**

Staff Recommendation for Coastal Development Permit No. E-99-009 (Unocal), October 19, 1999.

Staff Recommendation for Consistency Determination CD-10-00 (U.S. Fish and Wildlife Service), March 14, 2000.

Staff Recommendation for Coastal Development Permit No. E-08-012 (Chevron), November 18, 2008.

***Other Reports and Resources**:*

AECOM (2016a). *Biological Resources Report – 354 Family Pipeline Maintenance Project*, prepared for Phillips 66, April 1, 2016.

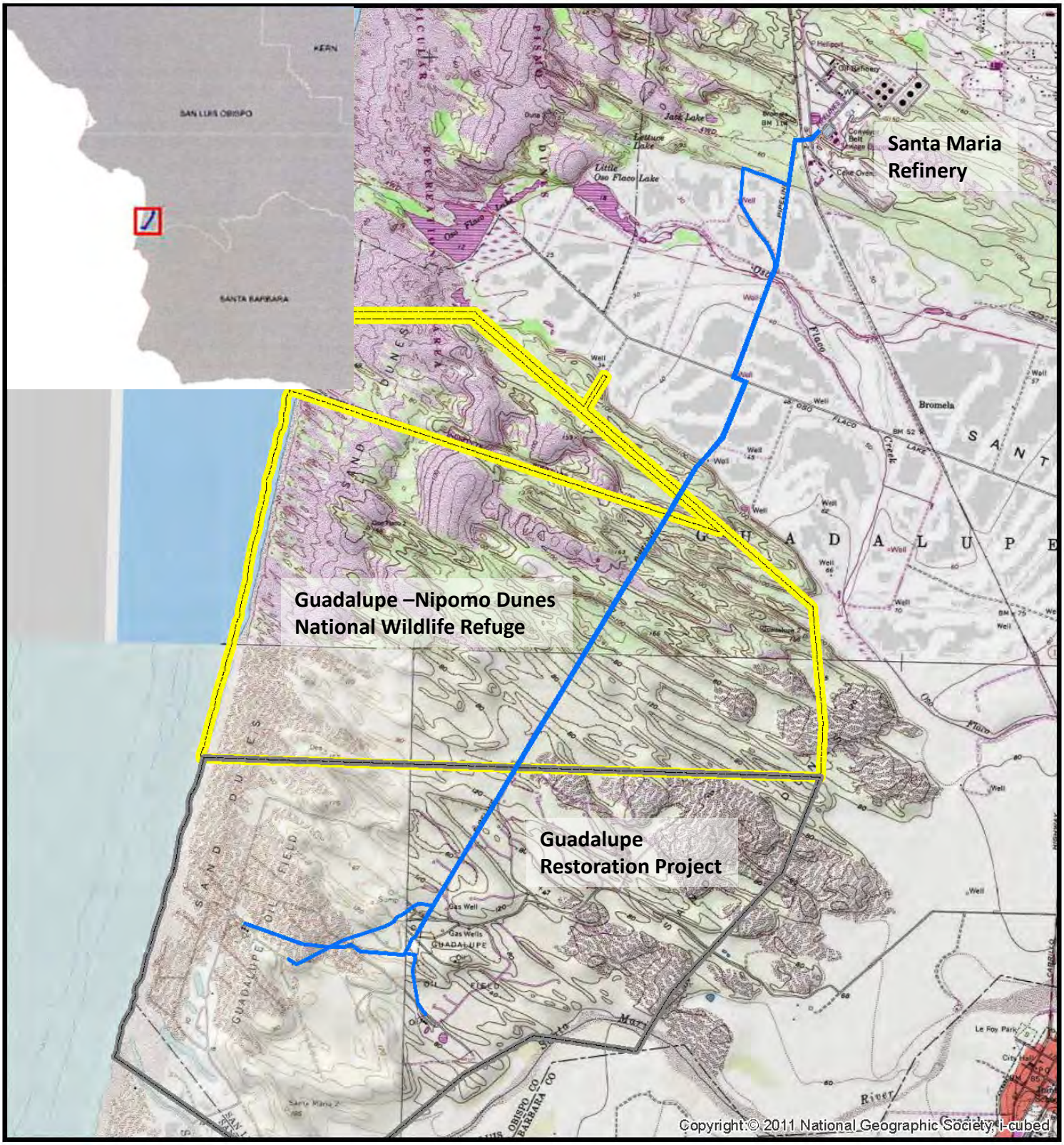
AECOM (2016b). *Execution Plan – Guadalupe Family, USFWS Guadalupe-Nipomo Dunes National Wildlife Refuge Site.*

California Department of Fish and Game (CDFG) (2010). List of Vegetation Alliances and Associations. Vegetation Classification and Mapping Program, September 2010.

County of San Luis Obispo Department of Planning and Building (2016). *Negative Declaration and Notice of Determination*, Mosconi (Phillips 66) Minor Use Permit, DRC2015-00044, ED15-133, June 30, 2016.

County of San Luis Obispo Department of Planning and Building (2016). *Initial Study/Environmental Checklist*, Mosconi (Phillips 66) Minor Use Permit, ED15-133, June 16, 2016.

United States Fish and Wildlife Service (USFWS) (2016). *Guadalupe-Nipomo Dunes National Wildlife Refuge Final Comprehensive Conservation Plan and Environmental Assessment*. August 2016.



Legend

- Refuge Property Boundary
- GRP Property Boundary
- L354 Pipelines

N

0 3,500 7,000 Feet

PHILLIPS 66

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PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

DATE: 3/7/2016 | DWRN: Mike Brannagan | Revision: 1

Exhibit 1
Application No. 9-16-0464
Phillips 66
Project Location

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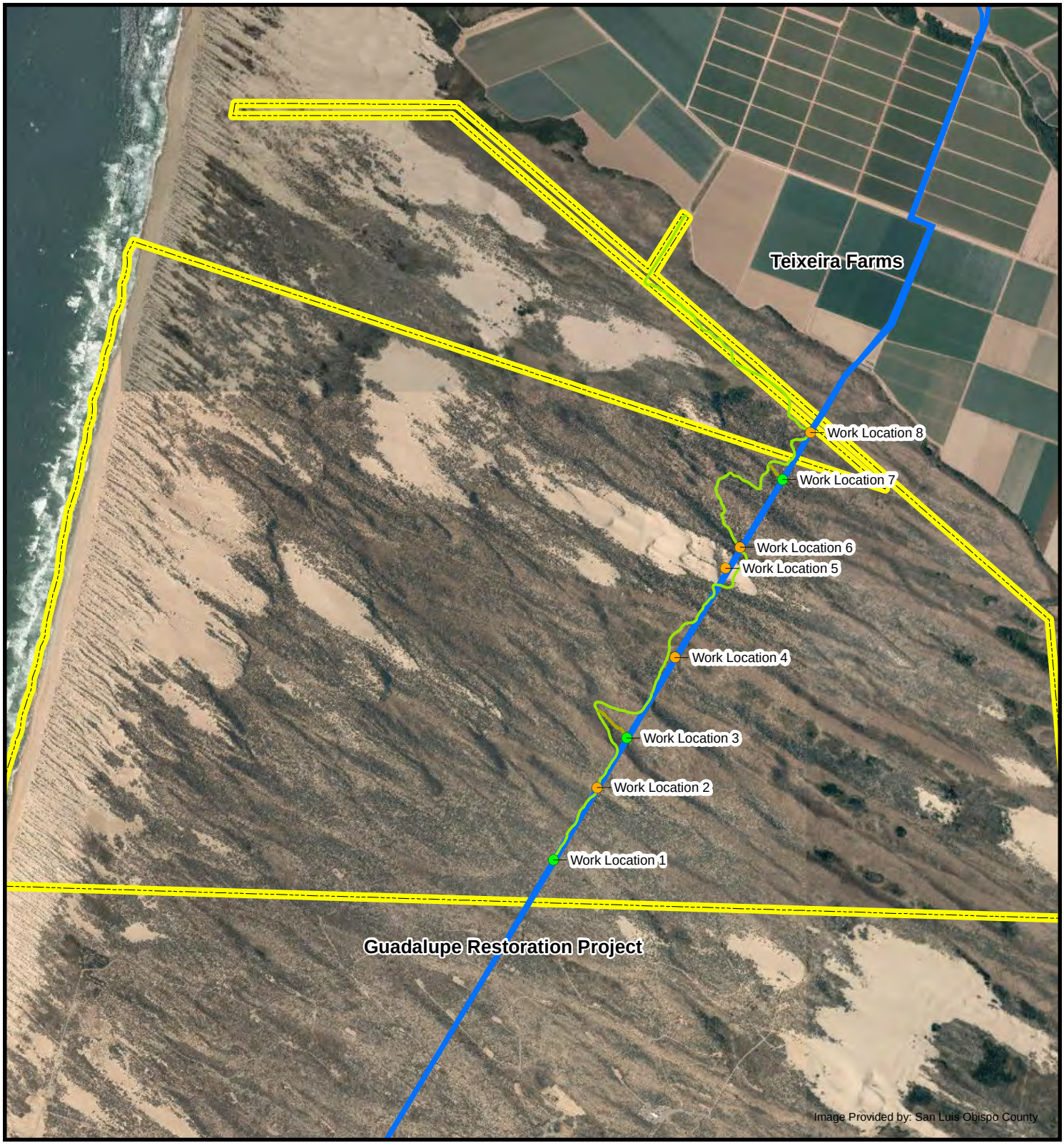

Legend

- Refuge Property Boundary
- L354 Pipelines
- Primary Work Location
- Existing Access Road
- Secondary Work Location
- Proposed Access Road

Exhibit 2
Application. No. 9-16-0464
Phillips 66
Project Work Sites & Access
Page 1 of 9

N

0 2,000 4,000 Feet

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PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

DATE: 3/22/2016 | DWRN: Mike Brannagan | Revision: 1

Project Site

FIGURE 3

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\la-project-site-figure3.mxd

Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x4
- 354x2

N

Figure Not to Scale

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
Project Work Sites and Access
Page 2 of 9

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

DATE: 3/31/2016 | DWRN: Mike Brannagan | Revision: 0

Santa Maria District
Guadalupe (354) Pipelines
Work Location 1
Figure 4

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\a-guadalupe-nwr-permit-worklocation1.mxd

Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x4
- 354x2

N

Figure Not to Scale

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
Project Work Sites and Access
Page 3 of 9

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

DATE: 3/28/2016	DWRN: Mike Brannagan	Revision: 0

Santa Maria District
Guadalupe (354) Pipelines
Work Location 2
Figure 5

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\a-guadalupe-nwr-permit-worklocation2.mxd

Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x2
- 354x4

N

Figure Not to Scale

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\a-guadalupe-nwr-permit-worklocation3.mxd

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
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GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

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Santa Maria District
Guadalupe (354) Pipelines
Work Location 3
Figure 6

Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x2
- 354x4

N

Figure Not to Scale

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
Project Work Sites
and Access
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PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

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Santa Maria District
Guadalupe (354) Pipelines
Work Location 4
Figure 7

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\a-guadalupe-nwr-permit-worklocation4.mxd

Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x2
- 354x4

N

Figure Not to Scale

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Exhibit 2
Appl. No. 9-16-0464
Project Work Sites and Access
Page 6 of 9

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

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Santa Maria District
Guadalupe (354) Pipelines
Work Location 5
Figure 8

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Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x2
- 354x4

N

Figure Not to Scale

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
Project Work Sites and Access
Page 7 of 9

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

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Santa Maria District
Guadalupe (354) Pipelines
Work Location 6
Figure 9

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Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x2
- 354x4

N

Figure Not to Scale

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
Project Work Sites
and Access
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PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

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Santa Maria District
Guadalupe (354) Pipelines
Work Location 7
Figure 10

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\a-guadalupe-nwr-permit-worklocation7.mxd

Legend

- Work Location
- Representative Limit of Disturbance
- 354x1
- 354x4
- 354x2

N

Figure Not to Scale

R:\Projects\Phillips 66\Figures\Districts\Santa Maria\Guadalupe\Permit\NWR\Project Description\a-guadalupe-nwr-permit-worklocation8.mxd

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PHILLIPS 66

Exhibit 2
Appl. No. 9-16-0464
Project Work Sites and Access
Page 9 of 9

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

DATE: 3/31/2016 | DWRN: Mike Brannagan | Revision: 0

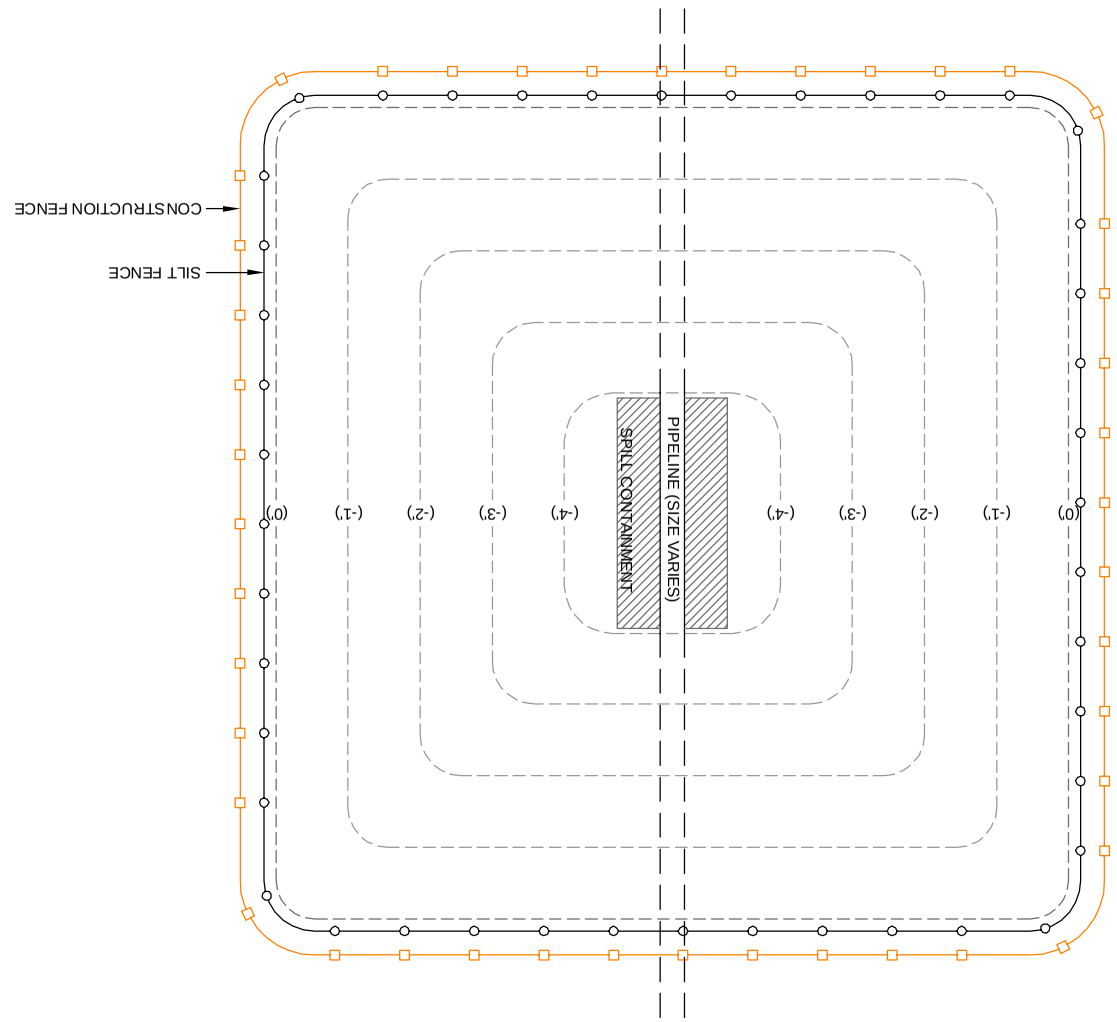
Santa Maria District
Guadalupe (354) Pipelines
Work Location 8
Figure 11

Last saved by: WOODARDSA(2015-09-09) Last Plotted: 2015-09-11
Filename: I:\CAD\PHILLIPS 66\GRADING DETAILS.DWG

Project Management Initials: Designer: AW Checked: WV Approved: WV ANSI B 11" x 17"

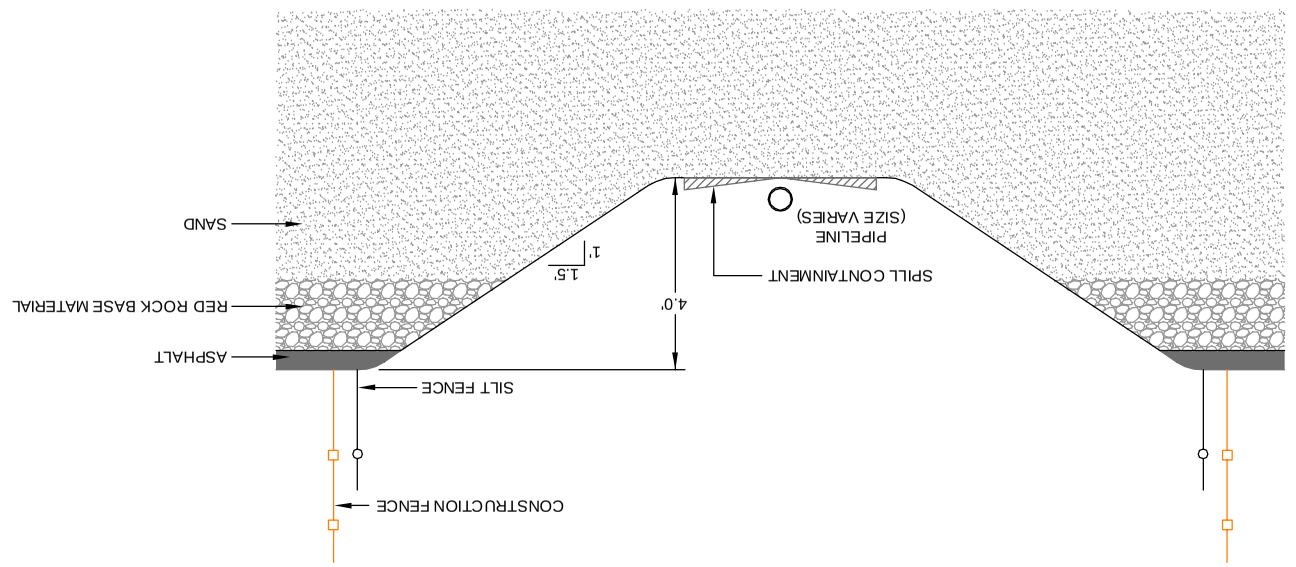
SHALLOW SLOPE EXCAVATION - PLAN VIEW (TYP)

SCALE: 1" = 4'



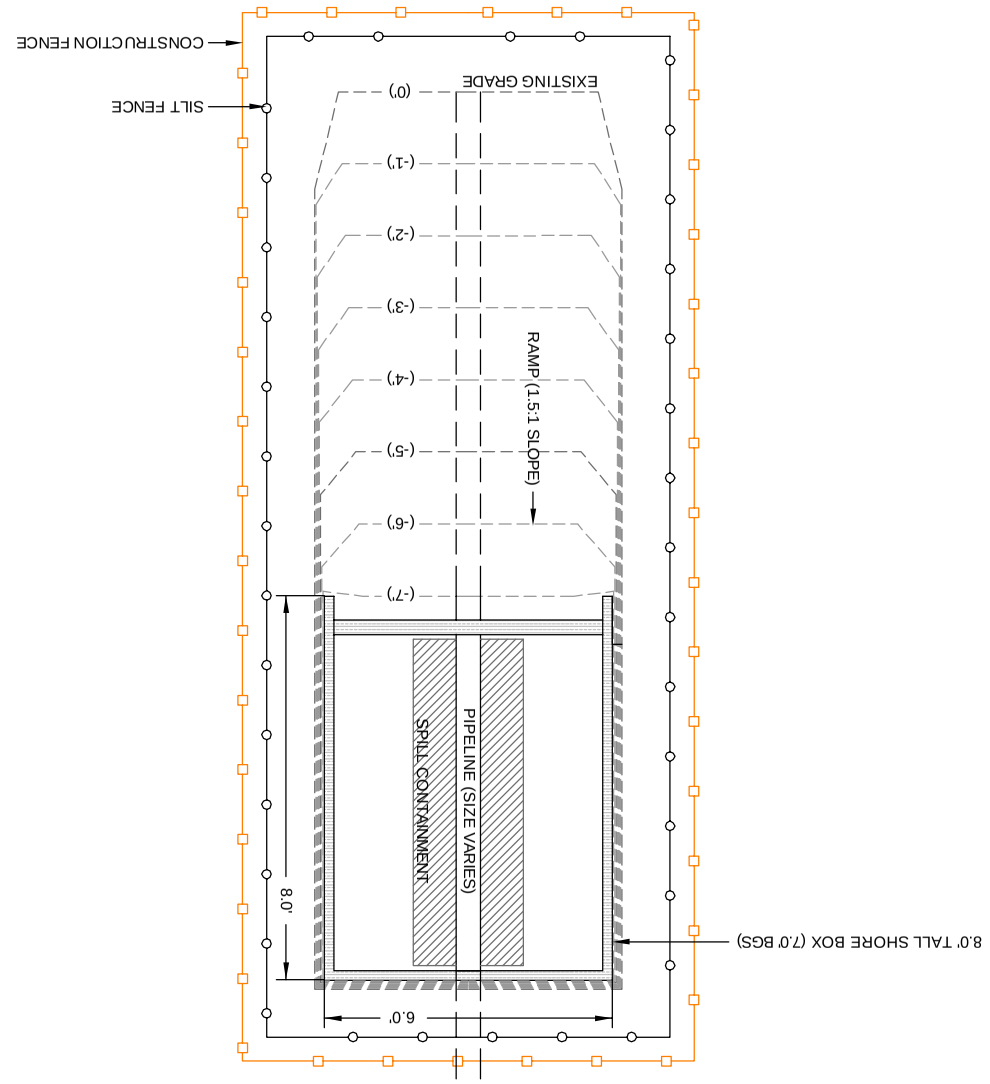
SHALLOW SLOPE EXCAVATION - ELEVATION (TYP)

SCALE: 1" = 4'



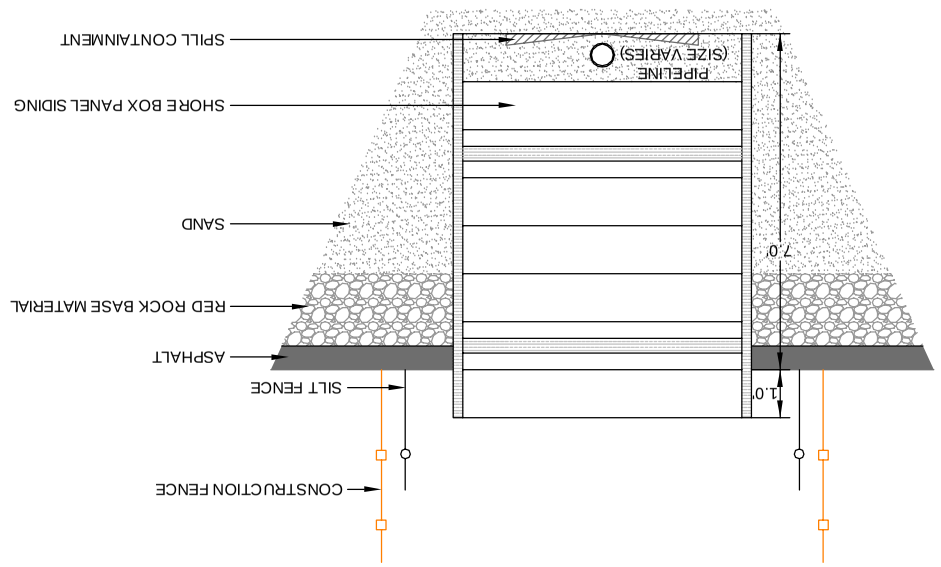
DEEP SHORE BOX EXCAVATION - PLAN VIEW (TYP)

SCALE: 1" = 4'



DEEP SHORE BOX EXCAVATION - ELEVATION (TYP)

SCALE: 1" = 4'



0 2 4

LEGEND

- PHILLIPS 66 - PIPELINE
- ESTIMATED CONTOUR LINE (MAJOR)
- ESTIMATED CONTOUR LINE (MINOR)
- SPILL CONTAINMENT MATERIAL
- SILT FENCE
- CONSTRUCTION EXCLUSION FENCE
- ASPHALT
- RED ROCK BASE MATERIAL
- SAND

L-354
SAN LUIS OBISPO COUNTY, CA
PHILLIPS 66
Project No.: 60309872

L-354 PIPELINE EXCAVATION
DETAILS (TYP)

AECOM

Exhibit 3
Appl. No. 9-16-0464
Phillips 66
Pipeline Excavation Plans
Page 1 of 1

FIGURE 2

Figure 8. Wetland Areas

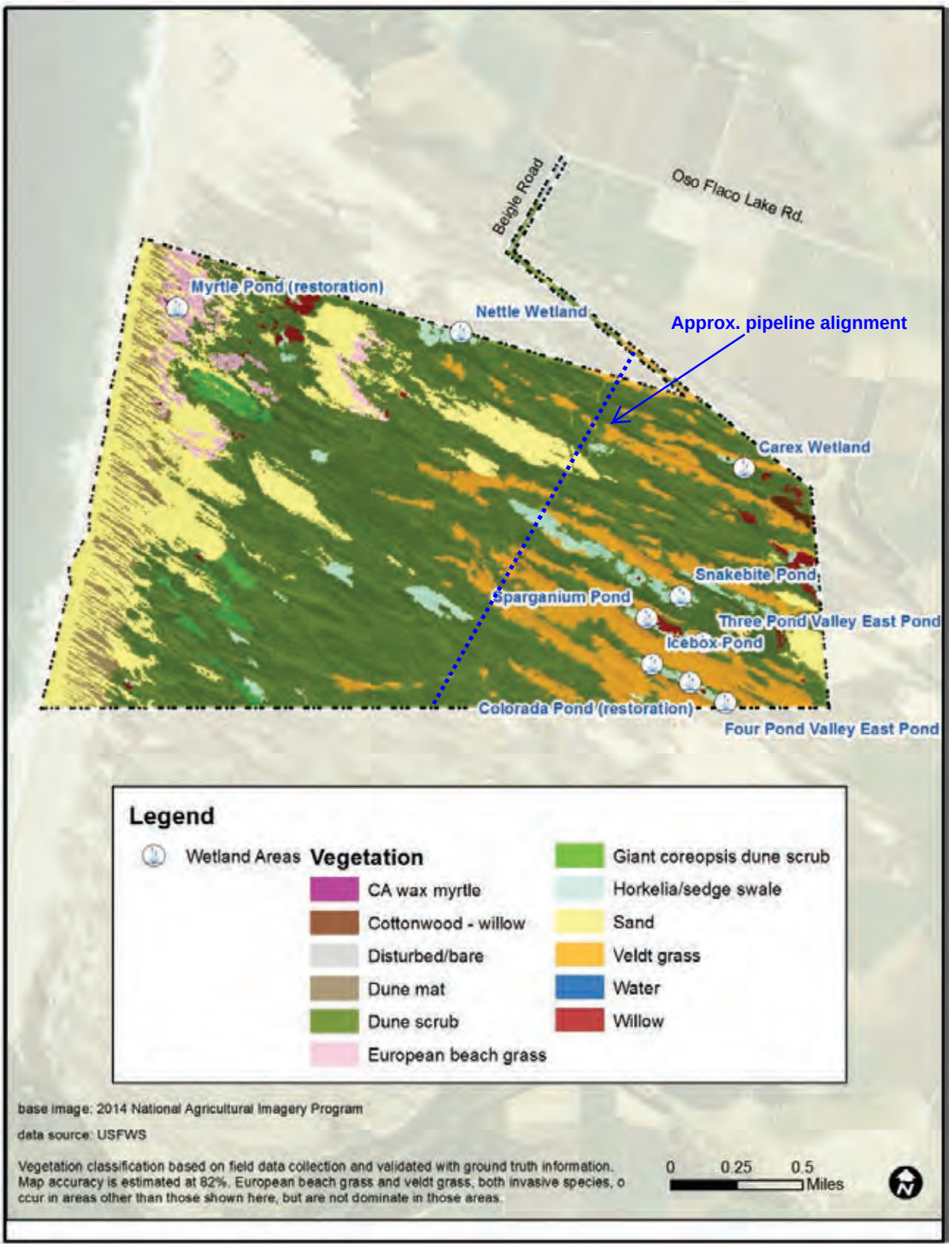


Exhibit 4
Application No. 9-16-0464
Phillips 66
Refuge Vegetation Cover
Page 1 of 1

Legend

- Work Location
- Representative Limit of Disturbance
- Dune Swale
- 354x1
- 354x2
- 354x4

N

Figure Not to Scale

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PHILLIPS 66

Exhibit 5
Appl. No. 9-16-0464
Phillips 66
Dune Swale Wetlands
Near Project Sites
Page 1 of 2

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

DATE: 10/5/2016 | DWRN: Mike Brannagan | Revision: 0

Santa Maria District
Guadalupe (354) Pipelines
Work Location 4
Figure 7

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Legend

- Work Location
- Representative Limit of Disturbance
- Dune Swale
- 354x1
- 354x4
- 354x2

N

Figure Not to Scale

Exhibit 5
Appl. No. 9-16-0464
Phillips 66
Dune Swale Wetlands
Near Project Sites
Page 2 of 2

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PHILLIPS 66

PHILLIPS 66
L354 MAINTENANCE PROJECT
GUADALUPE-NIPOMO DUNES
NATIONAL WILDLIFE REFUGE

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Santa Maria District
Guadalupe (354) Pipelines
Work Location 8
Figure 11

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