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**F13b**

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Hearing Date:	12/13/19

STAFF REPORT: REGULAR CALENDAR

Application No.: 9-19-0905

Applicant: Southern California Gas Company

Location: La Goleta Natural Gas Storage Facility, 1171 More Ranch Road, adjacent to Goleta Slough, Santa Barbara County (APN No. 071-210-001, 071-200-008)

Project Description: Over a 10-year period, conduct regulatory compliance, well maintenance, and well abandonment activities at two well sites within the La Goleta Facility.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The Southern California Gas Company (“SoCal Gas”) operates the La Goleta Natural Gas Storage Facility, which stores natural gas in an underground reservoir. The Facility covers about 150 acres in Santa Barbara County, with some of it adjacent to Goleta Slough, an extensive area of wetlands, riparian corridors, and estuarine and coastal habitats.

As part of its regulatory obligations, SoCal Gas must maintain the wells it uses to inject and extract natural gas from the facility. The proposed project consists of repair and maintenance activities and well abandonment activities during a 10-year period at two well sites at the Facility that are within about 50 feet of Goleta Slough, an area of diverse sensitive habitats, including wetlands, estuarine, riparian, and other types. The wells are also within several dozen feet of a nesting and rookery area for several special-status bird species. The proposed project activities could result in adverse impacts to these areas of sensitive habitat.

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As part of its regulatory obligations, SoCal Gas must maintain the wells it uses to inject and extract natural gas from the facility. The proposed project consists of repair and maintenance activities and well abandonment activities during a 10-year period at two well sites at the Facility that are within about 50 feet of Goleta Slough, an area of diverse sensitive habitats, including wetlands, estuarine, riparian, and other types. The wells are also within several dozen feet of a nesting and rookery area for several special-status bird species. The proposed project activities could result in adverse impacts to these areas of sensitive habitat.

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

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

- **Environmentally Sensitive Habitat Areas (ESHA):** The project is located near several habitat types that are considered ESHA, including an adjacent bird nesting and rookery area and Goleta Slough. To ensure that the adjacent ESHA is not degraded by project activities, **Special Condition 1** requires SoCal Gas to implement best management practices to protect the water quality of the nearby Slough. **Special Condition 2** prohibits SoCal Gas from conducting project activities during breeding and nesting season unless required to for regulatory compliance purposes; and if conducted during that season, that it implement protective measures such as pre-project nesting surveys, ongoing monitoring, and others meant to ensure there is no significant disruption to any nesting birds. Future well abandonment will also result in fewer activities at the sites and less potential to disturb these sensitive habitat areas.
- **Spill Prevention and Response:** To additionally protect water quality and coastal resources in the nearby Slough, **Special Condition 3** requires SoCal Gas to implement spill protection and response measures included in its facility Spill Prevention and Response Plan that will reduce the potential for spills and provide adequate response should spills occur.
- **Coastal Hazards:** The proposed project activities would occur in a low-lying area subject to flood and tsunami hazards, with the risks associated with those hazards expected to increase with sea level rise. **Special Condition 4** ensures that SoCal Gas acknowledges there are coastal hazards associated with the locations where its proposed development would occur and assumes the liabilities associated with those hazards.

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

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EXHIBITS

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I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 9-19-0905 subject to the conditions set forth in the staff recommendation.*

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

Resolution:

The Commission hereby approves Coastal Development Permit 9-19-0905 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

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

III. SPECIAL CONDITIONS

This permit is subject to the following special conditions:

1. **Protection of Water Quality:** The Permittee shall implement all relevant best management practices described in its *Best Management Practices Manual for Water Quality and Storm Water Management* (prepared by Geosyntec for Southern California Gas Company, May 2011 Revised Version). Prior to starting well maintenance or well abandonment activities, the Permittee shall provide confirmation to the Executive Director that it has implemented necessary preliminary measures in accordance with this Manual. Upon completion of each well maintenance event or well abandonment procedure, the Permittee shall provide documentation to the Executive Director showing that relevant best management practices were properly employed during the maintenance or abandonment activities.

2. **Avoidance and Minimization of Impacts to Breeding and Nesting Birds:** Project activities shall be conducted outside of the breeding and nesting season (February 15 to August 31 of any year), unless regulatory compliance requirements do not allow the Permittee to avoid activities during this time period. If project activities must occur during this period, they shall be subject to the following:
 - a) The Permittee shall employ a qualified avian biologist, approved by the Executive Director, who has demonstrable experience conducting surveying for active bird nests and monitoring for breeding birds protected by the Migratory Bird Treaty Act and Fish and Game Code.
 - b) Surveys shall be conducted no more than 72 hours prior to any project activities proposed to be carried out during the breeding season and shall encompass all potential nesting habitat within 500 feet of project activities. The 500-foot survey area may be reduced if topography and/or buildings screen the project's visual and noise impacts.
 - c) If active nests are detected, the Permittee shall implement the following measures:
 - Prior to staging equipment, the Permittee shall install a sound/visual barrier as close to the work area as feasible to reduce the project's sound and visual effects on nearby nests.
 - Project equipment shall be located as far from the active nests as feasible.
 - The qualified biologist shall be present during all project activities to monitor bird activity. If the biologist detects any disturbance to the birds that may be due to project activities, the biologist shall direct the activities to stop, to the extent they may be safely paused, until the activities are modified to remove or reduce the activity believed to be causing the disturbance.
 - The biologist shall, at the end of each work day, ensure that the work area is clear of debris, food items, or trash that could attract animals to the area.
 - The biologist shall be responsible for documenting the results of the surveys and the ongoing monitoring and shall provide a copy of the survey and monitoring reports at least once each week during project activities to the Executive Director.

- 3. Spill Prevention and Response:** The Permittee shall implement all relevant spill prevention and response measures in the La Goleta Facility's approved Spill Prevention and Response Plan. In addition, and prior to each day's work, all equipment, materials, and vehicles to be used for project activities shall be inspected for oil, fuel, or hazardous substance leaks. This inspection shall take place within paved areas of the La Goleta Facility with sufficient controls to contain any leaks that may occur. During project activities, project personnel shall have immediately available: (a) an estimate of a reasonable worst case release of fuel from project equipment and vehicles, (b) specific protocols to follow to contain any spills that may occur and sufficient materials such as booms, absorptive pads, etc., to contain those spills, (c) a telephone contact list of all regulatory and public trustee agencies having authority over the development and/or the project site and its resources to be notified in the event of a spill, and (d) a designated on-site person responsible for implementing the protocols and making the necessary contacts. Prior to the start of project activities, the Permittee shall provide for Executive Director review and approval, a plan describing all of the above measures. In the event that a spill or accidental discharge of fuel or hazardous materials occurs during project construction or operations, all non-essential project construction and/or operation shall cease and the Permittee shall implement spill response measures of the approved Plan, including notification of Commission staff. Construction and operation shall not start again until authorized by Commission staff. If project construction or operations result in a spill or accidental discharge that causes adverse effects to coastal water quality, ESHA, or other coastal resources, the Permittee shall submit an application to amend this coastal development permit, unless the Executive Director determines no amendment is required. The application shall identify proposed measures to prevent future spills or releases and shall include a proposed restoration plan for any coastal resources adversely affected by the spill or release.
- 4. Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to coastal hazards including, but not limited to, erosion, flooding, wave uprush, and sea level rise; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The Southern California Gas Company (“SoCal Gas”) operates the La Goleta Natural Gas Storage Facility in unincorporated Santa Barbara County (see Exhibit 1 – Regional Map). The facility includes a number of wells used to inject or extract natural gas from an underground reservoir. Two of the wells – Edwards 1 and Chase & Bryce 1 – are within the Commission’s retained permit jurisdiction (see Exhibit 2 – Project Location). These wells are within about 50 feet of Goleta Slough, and are also within a few dozen feet of a grove of eucalyptus trees used for nesting and roosting by at least three special-status bird species.

SoCal Gas is required to conduct well integrity inspections and to maintain the wells in good working order. These inspections, which can occur about every three to seven years, involve bringing a workover rig and other equipment to the well sites as needed to inspect the well components and conduct necessary repairs (see Exhibit 3 – Example of Workover Rig). When a well is no longer needed, SoCal Gas conducts a well abandonment process that involves removing much of the equipment from within the wellbore, sealing the well, removing above-ground structures, and other activities needed to conform to California Department of Conservation’s Division of Oil, Gas, and Geothermal Resources (“DOGGR”) requirements.

SoCal Gas is requesting a coastal development permit to allow the necessary repair and maintenance activities at these two well sites, along with any well abandonment deemed necessary, for a 10-year period. Both sets of activities would involve bringing in a “workover” rig, which is a type of drill rig that allows for work within the well bore to inspect and repair well components. The work would also involve the use of other types of heavy equipment and vehicles needed to repair or remove equipment, conduct necessary inspections, and other similar activities.

SoCal Gas expects each maintenance event to take about eight weeks, and to occur every three to seven years at each well site. Well abandonment is also expected to take about eight weeks, with an additional several weeks for the needed site restoration work, which involves creating a gravel pad over the well area to allow for ongoing monitoring of the site to ensure the well has been properly sealed and is not allowing releases of natural gas.

B. JURISDICTIONAL BACKGROUND

The La Goleta Facility is located within two different coastal zone jurisdictions. Much of the site is within the certified LCP jurisdiction of the County of Santa Barbara, where the County has coastal development permit authority. The area near the Edwards 1 and Chase & Bryce 1 wells is within the Coastal Commission’s retained jurisdiction. Until recently, however, both SoCal Gas and the County believed these two wells were within the County’s LCP jurisdiction. This was based in part on their use of a relatively low-resolution map that did not accurately portray the jurisdictional boundary along this area of the SoCal Gas site.

On May 27, 2009, the County issued a “Notice of Exemption” for the work proposed herein. In the spring of 2019, SoCal Gas started workover activities at the Edwards 1 well in reliance on that exemption notice. In March 2019, Commission staff received a call from a local resident concerned about workover activities that were occurring near the rookery during nesting season. Part of staff’s investigation included identifying which jurisdiction – the County’s or the Commission’s – these activities were occurring within. It was then that staff identified the above-referenced mapping discrepancy and determined that the Edwards 1 well was within the Commission’s retained jurisdiction. Staff informed both SoCal Gas and the County that the work would be subject to CDP approval by the Coastal Commission, and SoCal Gas stopped the work pending submission of a CDP application. However, a few days later, SoCal Gas informed staff that they would need to conduct additional activities to stabilize the well site during the time it would take to complete the Commission’s review of a CDP application. Staff then allowed the necessary stabilization work to occur pursuant to an emergency CDP.¹

As part of staff’s continued review, it was determined that another well site, Chase & Bryce 1, was also within the Commission’s retained jurisdiction. On July 29, 2019, SoCal Gas submitted a coastal development permit application to the Commission requesting approval to conduct maintenance and abandonment activities at these two sites for a 10-year period.

C. OTHER AGENCY APPROVALS

- **California Environmental Quality Act (“CEQA”)**: In 2013, the County of Santa Barbara certified a Final Environmental Impact Report for these and other activities at La Goleta.
- **California Department of Oil, Gas, and Geothermal Resources (“DOGGR”)**: Proposed activities are subject to two Notices of Intention approved by DOGGR on September 19, 2018 and on February 14, 2019. These approvals require SoCal Gas to implement several best management practices, spill prevention measures, and other activities as part of the proposed work (see Exhibit 4 – Approved Notices of Intention).
- **Santa Barbara County**: Portions of the well makeover and abandonment activities within the County are subject to a Notice of Exemption issued by the County on May 27, 2019 (see Exhibit 5 – Notice of Exemption).

D. COMMISSION’S PERMIT AUTHORITY FOR REPAIR AND MAINTENANCE ACTIVITIES

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

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

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

¹ See Emergency Coastal Development Permit G-9-19-0021, issued by Commission staff on May 6, 2019.

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

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

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

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

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

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

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

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

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

E. ENVIRONMENTALLY SENSITIVE RESOURCES

Section 30240 of the Coastal Act states:

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

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

Section 30107.5 states:

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

Proposed project activities would occur near Goleta Slough and its associated riparian corridor, areas that consist largely of ESHA as defined by both the Coastal Act and the County LCP (see Exhibit 2). The activities would also occur within a few dozen feet of a stand of eucalyptus trees that has long served as a nesting and rookery area for several special-status bird species.

Regarding Goleta Slough, the Commission has long recognized that parts of the Slough provide sensitive habitat areas. The Slough is one of the largest remnant coastal wetlands in this part of California and supports a diverse set of habitats, including several types of freshwater, estuarine, coastal, riparian, and upland areas.² Goleta Slough has also been extensively modified to serve several substantial developments and, along with the La Goleta Facility, is now the site of the Santa Barbara Airport, a wastewater treatment facility, and other commercial and industrial uses. Several parts of the Slough have been subject to, and are currently undergoing, restoration activities meant to improve the range of environmental characteristics it provides.

The proposed project activities would occur within 50 feet of the rookery and the Slough and could result in adverse effects resulting from sedimentation or fuel spills. To reduce the potential for these types of adverse impacts, SoCal Gas would conduct its project activities subject to best management practices included in a manual applicable to its operational activities at the La Goleta Facility.³ The manual describes measures to be implemented to protect water quality, including installing erosion control measures to prevent or reduce runoff and sedimentation, timing project activities to avoid rain events, maintaining buffers around sensitive areas, conducting fueling operations in areas where spills can be controlled, and other similar practices (see Exhibit 6 – Best Management Practices Manual). The proposed project activities would result in little, if any, disturbance of currently undeveloped area and therefore little potential for

² See *2015 Goleta Slough Management Plan*, Goleta Slough Management Committee.

³ See *Best Management Practices Manual for Water Quality and Storm Water Management*, prepared by Geosyntec for Southern California Gas Company, May 2011 Revised Version.

increased sedimentation or runoff, so adherence to these practices, along with sufficient distance between the activities and the Slough, will ensure that the project will not significantly degrade the Slough's sensitive resources. **Special Condition 1** requires SoCal Gas to implement the practices as described in the manual and to provide confirmation to the Executive Director that they have done so as part of project implementation.

Regarding the nesting and rookery area, this stand of trees also constitutes ESHA due to its "special nature or role in an ecosystem" in providing important habitat to at least three special-status bird species, including great blue heron (*Ardea herodias*), double-crested cormorant (*Phalacrocorax auritus*), and great egret (*Ardea alba*).⁴ Records available over recent decades show that this site regularly supports a dozen or more nests of these species.⁵ A survey conducted by SoCal Gas in April 2019 identified a total of about 30 nests within this rookery area. Monitoring conducted subsequently during the initial well workover work in June of this year identified active nests at the site, though the biological monitor reported no apparent disturbance to the birds' breeding or nesting activities due to this work.⁶

Although these wells have been in place for several decades and the birds appear to have tolerated their presence and the occasional presence of workers and heavy equipment at the well sites, the proposed project activities could result in several adverse effects to these species and to the habitat features they rely on. The activities would result in noise levels and visual disturbances that could cause the birds to flee, abandon nests, or avoid using this preferred habitat entirely. The project activities could also result in trash or food being left at the well sites, which could attract predators that could further adversely affect nesting or roosting birds. However, because the proposed project consists of repair and maintenance of existing facilities and removal of those facilities, there are no alternative locations for the project that could entirely avoid adverse effects on these species or on ESHA.

SoCal Gas has, during past maintenance activities, included several measures in its project intended to avoid or reduce the severity of some of these potential impacts. It has installed barriers between the maintenance activities and the nest/roost locations to limit sound and visual disturbances, and has sited maintenance equipment with as much distance as possible between the necessary work area and the nest/roost locations. As noted above, it has also used a qualified avian biologist to monitor bird activity during maintenance events and to direct work actions as needed to avoid or minimize potential adverse effects.

⁴ The great blue heron and great egret are designated as "sensitive" by the California Department of Forestry and Fire Protection, and the double-crested cormorant is watchlisted on the special-status list by the California Department of Fish and Wildlife.

⁵ For example, the Goleta Slough Management Committee website identifies great egret nesting at the site starting in 2003 (see http://goletaslough.org/gsmcformfauna.php?s=_species&n=Resources&g=Sensitive%20Species&l=Birds,%20Local%20Concern&d=bird3), and a 2005 record identified 15 to 20 great blue heron nests at the site (see: <http://www.goletaslough.org/gsmcpagenote.php?s=func&n=Resources&g=Notable%20Wildlife%20Functions>). A recent eBird listing from June 2019 identified 26 occupied cormorant nests, seven occupied great blue heron nests, and six great egret nests (see <https://ebird.org/checklist/S57525574>). All sites accessed November 21, 2019.

⁶ See *June 10, 2019 Results of Biological Monitoring at the Goleta Gas Storage Field Rework Edwards 1 Site*, Goleta, Santa Barbara County, Rincon Consultants, Inc. for SoCal Gas.

For its currently proposed project, SoCal Gas has proposed similar measures. It would avoid project activities, to the extent feasible, during the nesting season between February 15th and August 31st of any year. When activities must occur during that time period, SoCal Gas has proposed having a qualified biologist conduct pre-activity nesting surveys, establish avoidance buffers, install sound barriers, and other measures to reduce potential effects. These are meant in part to comply with measures included in the project's Final Environmental Impact Report, which require that SoCal Gas avoid breeding/nesting season to the extent feasible, that activities not start until after completion of a survey for active nests, and establishment of "no disturbance" buffers 300 to 500 feet wide between work sites and the nests.⁷

To be fully protective of this nearby ESHA and the associated species, **Special Condition 2** requires SoCal Gas to implement these and other measures. **Special Condition 2** requires that activities not occur during breeding/nesting season unless they are required to occur for regulatory compliance purposes – i.e., if needed pursuant to DOGGR or other safety requirements. If these activities are to occur during this season, **Special Condition 2** requires that SoCal Gas first conduct nesting surveys, implement measures prior to starting project activities that will allow avoidance or reduction of potential impacts, conduct ongoing monitoring during project activities to ensure nesting birds are minimally disturbed, and to provide monitoring reports to the Executive Director.

With these conditions, the Commission finds that the project will not significantly degrade adjacent ESHA, and will therefore be consistent with Coastal Act Section 30240.

F. SPILL PREVENTION AND RESPONSE

Coastal Act Section 30232 states:

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

⁷ See *Final Environmental Impact Report for Southern California Gas Company La Goleta Storage Facility Enhancement Project* (SCH # 2010021069), Mitigation Measure Bio-1 Nesting Bird Protection, which states: "The Owner/Applicant shall schedule ground disturbing activities to avoid the bird breeding season (March 1 to August 15), so far as feasible, to reduce impacts to birds. If ground disturbance or vegetation removal is scheduled to occur during the breeding season, the Owner/Applicant shall fund a County-approved biologist to survey for active nests immediately prior to the start of ground disturbance in a given area. The survey shall extend to 500 feet away from the area of disturbance. If an active raptor nest is found, no ground disturbing activity shall occur within a buffer zone of 500 feet around the nest. If active, special status avian species nests are found, no ground disturbing activity shall occur within a buffer zone of 300 feet around the nest. The buffer zones shall be marked with construction fencing and shall be maintained until fledglings have left the nest and the biological monitor has cleared the area. Plan Requirements: The Owner/Applicant shall report on survey and monitoring activities conducted in compliance with this measure in writing to P&D staff. Monitoring: P&D shall review the bi-weekly reports and inspect the Project site as necessary to ensure compliance with this measure." [Note: breeding and nesting season in the area is now considered to extend from February 15th to August 31st each year.]

The Coastal Act requires protection against spills of hazardous substances and effective management of spills should they occur. The most likely project-related spill scenario during the proposed project activities would be a release of fuel from equipment used to maintain or abandon the wells. A worst case spill under this scenario would be approximately 75 gallons. It is also possible that project activities could result in an accidental release from the wells, resulting in a release of natural gas into the surrounding environment.

Project activities would be subject to the Spill Prevention Plan SoCal Gas has developed for the La Goleta Facility. The Plan includes a number of measures meant to prevent spills and to respond to spills when they occur – for example, all vehicles and equipment are to be inspected for leaks before starting project activities, fueling is to be done in areas and with equipment that allow any spills to be controlled, and others. The Plan also includes procedures to be followed in the event of a spill including notification requirements, contact information for agency personnel, and a designated person to implement protocols and make the necessary contacts. **Special Condition 3** requires SoCal Gas to implement the relevant provisions of its Plan during project activities and to specifically implement several particular provisions meant to avoid and respond to spills, such as fueling project-related equipment and vehicles where any spills can be controlled, keeping spill response equipment immediately available should a spill occur, and maintaining a contact list for notifying authorities in the event of a spill.

With implementation of SoCal Gas’s Spill Prevention and Response Plan and with **Special Condition 3**, the Commission finds that the proposed project will be carried out in a manner that protects against spills of hazardous substances and provides for effective containment and cleanup should a spill occur and is therefore consistent with Coastal Act Sections 30232.

G. COASTAL HAZARDS

Section 30253 of the Coastal Act states in part:

New development shall do all of the following:

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

The two wells are located at about 15 to 20 feet elevation (NAVD88) and are within the area’s 100-year flood zone and tsunami inundation zone. While both wells include subsurface safety valves to reduce the potential for releases due to damage from these events, they could experience a flood or tsunami hazard at any time that could adversely affect the surface components of the wells. As the well sites are already within the 100-year flood zone, any increase in sea level elevation, while not expected to reach the level of the well heads during the 10-year period of this CDP, will result in increased risk to the wells from these hazards.

At some point, the wells will need to be shut in and abandoned in accordance with state regulatory requirements, and SoCal Gas has requested, as part of this 10-year CDP permit, approval to conduct the necessary well abandonment procedures. This would involve removing

well tubing and other equipment from within the wellbore, cementing the wellbore, cutting the well casings at depth, and removing all above-grade structures from the site. SoCal Gas expects that these activities would take about eight weeks. These would be followed by surface restoration, as required by DOGGR, which would take several additional weeks. This surface restoration work involves placing a layer of gravel over the well site, which is meant to allow SoCal Gas to conduct ongoing monitoring of the area to ensure that the well has been closed properly and is not releasing natural gas.

Until they are properly abandoned, the wells will be subject to these inundation hazards. Nonetheless, the proposed work does not include installation of shoreline protective devices, which in this area could result in substantial impacts to coastal resources and could constrain the ability of the shoreline to respond and adjust to ongoing dynamic coastal processes. Through **Special Condition 6**, SoCal Gas acknowledges that the development associated with the coastal development permit is located in an area subject to coastal hazards and that it assumes liability for any damages to its development from such hazards.

With this Special Condition, the Commission finds that the proposed project will be consistent with the provisions of Coastal Act Section 30253 requiring minimization of risks in areas subject to these types of hazards, and preventing erosion or geologic instability of the site or surrounding area.

V. 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, fill of wetlands, oil spill prevention and response, and hazards will minimize all significant 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, and the project will not have any significant environmental impacts. 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

Southern California Gas Company, *Coastal Development Permit Application for Edwards 1 and Chase & Bryce 1 Wells Workover and Well Abandonment at La Goleta Storage Facility*, July 29, 2019, with attachments and responses to Commission staff requests for additional information.

Santa Barbara County, *Final Environmental Impact Report for Southern California Gas Company La Goleta Storage Facility Enhancement Project* (SCH # 2010021069).