

DIVISION 9.

OIL AND GAS FACILITIES.

Sec. 35-150. Purpose and Intent.

The purpose of this Division is to set forth specific regulations for those oil and gas facilities designated as permitted uses or uses permitted with a Conditional Use Permit in the applicable zoning districts within this Article.

Sec. 35-150.1 Voter Approval

(Added pursuant to Measure A96 voter approval initiative passed by the voters of Santa Barbara County on March 26, 1996 and by Santa Barbara County Ord. 4234, 7/23/96)

1. Any legislative approvals (e.g. zoning amendment, General Plan amendment, Local Coastal Plan amendment, Development Plan, or other legislative action) which would authorize or allow the development, construction, installation, or expansion of any onshore support facility for offshore oil and gas activity on the South Coast of the County of Santa Barbara (from Point Arguello to the Ventura County border) shall not be final unless such authorization is approved, in the affirmative, by a majority of the votes cast by the voters of the County of Santa Barbara in a regular election. For the purpose of this measure, the term "onshore support facility" means any land use, installation, or activity proposed to effectuate or support the exploration, development, production, storage, processing, or other activities related to offshore energy resources.
2. The voter approval requirement set forth in 1 above shall not apply to onshore pipeline projects or to onshore support facilities that are located entirely within an existing approved consolidated oil and gas processing site at Las Flores Canyon (designated as of June 13, 1995 as APN 81-220-14, 81-230-19) or Gaviota (designated as of June 13, 1995 as APN 81-130-07, 81-130-52, 81-130-53).
3. The terms, policies, and zoning amendments set forth herein shall expire at the end of twenty-five (25) years after the effective date of this ordinance unless extended by the Board of Supervisors or by another vote of the electorate.

Sec. 35-151. Definitions.

Unless otherwise defined within this Article, the definitions of oil and gas related terms shall be those set forth in Sec. 25-3 of Chapter 25 of the Santa Barbara County Code (Petroleum Ordinance).

Sec. 35-152. Onshore Exploratory Oil and Gas Drilling.

1. **Applicability.** The specific regulations contained within this section shall apply to all equipment, buildings, and appurtenances necessary for the exploration for oil and gas resources from an onshore hydrocarbon area outside the limits of an established oil field. For all districts in which exploratory oil and gas drilling is a permitted use or a use permitted with a Conditional Use Permit, the district regulations of Division 4 shall be inapplicable to said use .
2. **Permitted Districts.**
 - a. Exploratory oil and gas drilling and related facilities are permitted uses in the following districts:
 - 1) Agriculture II (AG-II)
 - 2) Coastal-Dependent Industry (M-CD).
 - 3) Coastal-Related Industry (M-CR). *(Added by Ord. 3947, 11/19/91)*
 - 4) Where either of these districts are also subject to either an Environmentally Sensitive Habitat Area (ESH) or View Corridor (VC) Overlay District, a Conditional Use Permit as provided in Sec. 35-172. is required.
 - b. Exploratory oil and gas drilling is permitted subject to a Major Conditional Use Permit in the following districts:
 - 1) Resource Management (RES)
 - 2) Rural Residential (RR)
 - 3) Industrial/Research Park (M-RP)
 - 4) Light Industry (M-1)
 - 5) General Industry (M-2)

3. Processing: Prior to the issuance of any Coastal Development Permit for exploration for oil and/or gas, an Exploration Plan shall be approved in accordance with the procedures set forth in Sec. 35-176. (Oil and Gas Exploration and Production Plans).
4. Development Standards:
 - a. In addition to the well spacing and setback requirements of Sec. 25-23 of the County Code (Petroleum Ordinance), no exploratory oil or gas well or related facilities shall be permitted within 300 feet of either the mean high tide line or an occupied residence.
 - b. A drill site shall not exceed one (1) acre in size, but may contain any number of boreholes.
 - c. Except in an emergency, no materials, equipment, tools, or pipe used for drilling shall be delivered to or removed from a drilling site within or through streets within a residential district, between the hours of 7 p.m. and 7 a.m. of the next day.
 - d. Grading and alteration of natural drainages shall be minimized.
 - e. If the exploratory drilling program is successful, a Production Plan shall be submitted within one year of the issuance of the Coastal Development Permit for the exploratory drilling unless deemed infeasible for a particular operator.
 - f. If the exploratory drilling program is unsuccessful the well shall be abandoned within one year of the issuance of the Coastal Development Permit for the exploratory drilling, unless deemed infeasible for a particular operator.
 - g. The applicant has received "authority to construct" from the Air Pollution Control District.

Sec. 35-153. Onshore Oil and Gas Production.

1. Applicability. For all districts in which oil and gas production and related facilities are permitted uses or uses permitted with a Conditional Use Permit, the district regulations of Division 4 shall be inapplicable to said use .

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The specific regulations contained within this section shall apply to the production of oil and gas from an onshore hydrocarbon area and related facilities, equipment, buildings, or appurtenances including:

- a. Drilling a new well or re-entering a previously abandoned well for the production of petroleum.
- b. Structures, equipment, or facilities necessary and incidental to dehydration and/or separation of oil, gas and condensate obtained from an onshore hydrocarbon area.
- c. Injection wells and incidental equipment necessary for enhanced oil recovery or disposal of production wastes.
- d. Equipment and facilities necessary for enhanced oil recovery including waterflooding, steam injection, air injection, carbon dioxide injection, or introduction of polymers, or other agents.
- e. Pipelines located within an onshore oil and gas lease area which are necessary for oil and gas production operations.
- f. Storage tanks necessary or incidental to separation/treatment of oil and gas, or temporary storage of separated hydrocarbons, and equipment for transfer of the produced hydrocarbons to pipelines or tanker trucks.
- g. Access roads.
- h. Oil spill containment and recovery equipment including central office space and vehicles for the storage of floating oil/water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife clean-up equipment.

2. Permitted Districts.

- a. Oil and gas production and related facilities are a permitted use in the following districts:
 - 1) Agriculture II (AG-II).
 - 2) Coastal-Dependent Industry (M-CD).
 - 3) Coastal-Related Industry (M-CR). *(Amended by Ord. 3947, 11/19/91)*

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- 4) Where either of these districts is also subject to either an Environmentally Sensitive Habitat Area (ESH) or a View Corridor (VC) Overlay District, a Conditional Use Permit, as provided in Sec. 35-172. is required.
- b. Oil and gas production and related facilities are permitted subject to a Major Conditional Use Permit in the following districts:
 - 1) Resource Management (RES)
 - 2) Rural Residential (RR)
 - 3) Industrial/Research Park (M-RP)
 - 4) Light Industry (M-1)
 - 5) General Industry (M-2)
3. Processing. Prior to the issuance of any Coastal Development Permit for development related to oil and gas production, a Production Plan shall be approved in accordance with the procedures set forth in Sec. 35-176. (Oil and Gas Exploration and Production Plans).
4. Development Standards.
 - a. In addition to the well spacing and setback requirements of Sec. 25-23 of the County Code (Petroleum Ordinance), no oil and gas production well or related facilities shall be permitted within 300 feet of either the mean high tide line, or an occupied residence.
 - b. Except in an emergency, no materials, equipment, tools, or pipe used for drilling or production operations shall be delivered to or removed from a site within or through streets within a residential district between the hours of 7 p.m. and 7 a.m. of the next day.
 - c. No more than one drilling/production site shall be permitted for each ten (10) acres of land area within a lease so as to minimize the area of disturbance. A drill site may contain any number of wells.
 - d. The site or the moving parts of operating machinery shall be with an adequate non-combustible type fence, wall, screen, or housing sufficient to

- prevent unauthorized access thereto and having a of at least six (6) feet unless public access is prevented by reason of an isolated location.
- e. Each producing well site shall be completed in such a manner that all production equipment and facilities shall be recessed, covered, or otherwise screened from view. Trees or shrubbery shall be planted and maintained so as to develop attractive landscaping and to screen the site and production equipment, structures, tanks, and facilities thereon from public view, unless such equipment, structures, tanks, and facilities are screened from public view by reason of an isolated location, existing trees or shrubbery, intervening surface contours, or a wall constructed as herein provided.
 - f. Any machinery used in the production and/or processing shall be so designed and housed that noise and vibration shall be reduced to a minimum and the operation thereof will be compatible with the level of surrounding areas.
 - g. The applicant has received "authority to construct" from the Air Pollution Control District.
 - h. All lights shall be shielded so as not to directly shine on adjacent properties.
 - i. Permanent structures and equipment shall be painted a neutral color so as to blend in with natural surroundings.
 - j. In addition to all of the above, the Development Standards contained in Paragraph 5 of Sec. 35-154.5. for onshore processing facilities for offshore oil and gas development shall also be applicable to the processing facilities that are permitted as a component of an onshore production area.

Sec. 35-154. Onshore Processing Facilities Necessary or Related to Offshore Oil and Gas Development.

(Amended by Ord. 3701, Ord. 3745)

- 1. Applicability: The specific regulations of this section shall apply to structures, equipment, or facilities necessary and incidental to:
 - a. Dehydration and/or separation of oil, gas and condensate obtained from an offshore hydrocarbon area, except for dehydration and separation incidental

to onshore wells which shall be subject to regulations of Section 35-158, and 35-176, and *(Amended by Ord. 4235, 9/3/96)*

b. Oil and gas processing/treatment facilities. *(Amended by Ord. 4235, 9/3/96)*

For the specific regulations listed under 35.154.4B, the terms "new production" or "new oil and gas production" or "new gas production" refer to:

- c. the development of any oil and/or gas after the adoption of these policies which requires new discretionary local, state, or federal permits unless its from an existing well or platform; or
- d. the development of any oil and/or gas which, after the adoption of these policies, requires approval of a new platform, or a new subsea or onshore well completion.

An operator who claims a constitutionally-protected vested right exists within the scope of existing permits to process new production at a facility which is not at a County-designated consolidated site may request the Planning Commission for a determination of exemption to allow processing of that production at the nonconsolidated site. The request must be accompanied by evidentiary support reasonably available at the time of filing. The Planning Commission shall hold a hearing on the request within 60 days of filing. The Planning Commission shall determine the scope of the applicant's existing permits and whether the applicant, by obtaining and relying on such permits prior to the adoption of these policies, has acquired, under California law, a vested right to process new production at a facility other than a County-designated consolidated site.

The Commission may continue the hearing (1) with the consent of the applicant and the County or (2) to permit or require the applicant or the County to submit additional evidence or legal analysis. No more than 90 days total continuance shall be granted unless the parties consent or the Commission finds that additional evidence is needed or a decision cannot feasibly be presented within the allotted time. The Commission shall decide the matter within 30 days after all such evidence and analysis has been submitted.

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The applicant shall reimburse the County for all reasonable costs incurred in determining the claim of exemption.

2. Permitted Districts. Processing facilities for offshore oil and gas development are permitted only in the Coastal-Dependent Industry (M-CD) District (if the use requires a site on or adjacent to the sea to be able to function at all) and in the Coastal-Related Industry (M-CR) District, except: *(Amended by Ord. 3947, 11/19/91; Ord. 4235, 9/3/96)*

a. Where the property is subject to the Environmentally Sensitive Habitat Area Overlay District (ESH), such facilities shall not be permitted within the area subject to the ESH.

b. Where the property is subject to the View Corridor Overlay District (VC), such facilities shall require a Major Conditional Use Permit as provided in Sec. 35-172.

3. Processing. No permits for development including grading shall be issued except in conformance with an approved Final Development Plan, as provided in Sec. 35-174. (Development Plans), and with Sec. 35-169. (Coastal Development Permits).

In addition to the other information required under Sec. 35-174. (Development Plans), the following information must be filed with a Preliminary or Final Development Plan application.

a. An updated emergency response plan to deal with potential consequences and actions to be taken in the event of hydrocarbon leaks or fires. These emergency response plans shall be approved by the County's Emergency Services Coordinator and Fire Department.

b. A phasing plan for the staging of development which includes the estimated timetable for project construction, operation, completion, and abandonment, as well as location and amount of land reserved for future expansion.

4A. Findings Required for Approval of Development Plans Outside the South Coast Consolidation Planning Area. *(Added by Ord. 3701).*

In addition to the findings for Development Plans set forth in Sec. 35-174.7 (Development Plans), no Preliminary or Final Development Plan is to be approved

for a project in an area outside the South Coast Consolidation Planning Area unless the Planning Commission also makes all of the following findings:

- a. Consolidation or collocation on or adjacent to an existing processing facility to accommodate the proposed production is not feasible or is more environmentally damaging.
- b. There are no feasible alternative locations for the proposed processing facility that are less environmentally damaging.
- c. Where consolidation or collocation on or adjacent to an existing processing facility is not proposed, for coastal areas east of the City of Santa Barbara, there are no existing processing facilities within three (3) miles of the proposed site.
- d. The proposed facility is compatible with the present and permitted recreational and residential development and the scenic resources of the surrounding area.

4B. Findings Required for Approval of Development Plans for Facilities in the South Coast Consolidation Planning Area. *(Added by Ord. 3701)*

In addition to the findings for Development Plans set forth in Sec. 35-174.7 (Development Plans), no Preliminary or Final Development Plan for processing facilities shall be approved unless the Planning Commission also makes one or more of the following findings:

- a. Existing and approved processing capacity at the County-designated consolidation sites is insufficient to accommodate proposed new production for a period of time that would render development of the proposed offshore reservoir(s) infeasible. This finding shall take into account feasible delays in development of the offshore reservoir(s) to maximize use of existing and approved processing capacity, and feasible expansion of existing processing facilities to provide sufficient capacity.
- b. The specific properties of oil or gas for a particular reservoir - considering available information on the physical and chemical characteristics of the stock, including but not limited to API gravity, sulfur and water content,

viscosity, and pour point - would render development of the resource technically infeasible unless specialized units can be built. Such finding shall consider partial dehydration as a specialized unit if it is required to adapt a resource to the technical requirements of a processing facility. Modifications or additions to existing facilities shall be favored over construction of redundant processing capacity insofar as such modifications or additions render the resource characteristics and the technical processing requirements of a facility compatible with one another.

- c. Commingling the production in existing or already-approved facilities at designated consolidated sites is environmentally unacceptable.

Additionally, no Preliminary or Final Development Plan for expansion or construction of processing facilities shall be approved unless the Planning Commission makes the following findings to restrict industrialization of the area:

- d. The expansion of existing facilities or construction of new facilities are to be located at a County-designated consolidated oil and gas processing site at Gaviota or Las Flores Canyon.
 - e. The proposed facilities will use, to the maximum extent feasible, existing ancillary facilities at the consolidated site.
5. Development Standards. In addition to the regulations of the M-CD District, the following regulations shall apply to onshore processing facilities for offshore oil and gas development:
- a. The level of noise generated by the facility at the property boundary shall not exceed 70 db(A).
 - b. The applicant has received "authority to construct" from the Air Pollution Control District.
 - c. There shall be no visible emission of smoke.
 - d. The installation shall be visually compatible with the potential surroundings by use of any or all of the following measures where applicable: buffer strips, depressions, natural or artificial; screen planting and landscaping continually maintained; camouflage and/or blending colors.

- e. All lights shall be shielded so as not to directly shine on adjacent properties.
- f. Grading and alteration of natural drainages shall be minimized.
- g. Adequate provisions shall be made to prevent erosion and flood damage.
- h. Permanent structures and equipment shall be painted a neutral color so as to blend in with natural surroundings.
- i. Permits for expanding, modifying, or constructing crude-oil processing or related facilities shall be conditioned to require that all oil processed by the facility shall be transported from the facility and the County by pipeline as soon as the shipper's oil-refining center of choice is served by pipeline.

Transportation by a mode other than pipeline may be permitted only:

- (1) within the limits of the permitted capacity of the alternative mode; and
- (2) when the environmental impacts of the alternative transportation mode are required to be mitigated to the maximum extent feasible; and
- (3) when the shipper has made a commitment to the use of a pipeline when operational to the shipper's refining center of choice; and
- (4) when the County has determined use of a pipeline is not feasible by making one of the following findings:
 - (a) A pipeline to the shippers' refining center of choice has inadequate capacity or is unavailable within a reasonable period of time;
 - (b) A refinery upset has occurred, which lasts less than two months, precludes the use of a pipeline to that refinery, and requires temporary transportation of oil to an alternative refining center not served by pipeline;
 - (c) The costs of transportation of oil by common carrier pipeline is unreasonable taking into account alternative transportation modes, economic costs, and environmental impacts; or

- (d) An emergency, which may include a national state of emergency, has precluded use of a pipeline.

A permit based on finding (b) or (d) may be granted by the Director of the Planning and Development Department and shall be subject to appeal to the Planning Commission. A permit based on findings (a) and (c) may be granted by the Board of Supervisors. All permits in this section are subject to appeal to the Coastal Commission.

All permits for the use of a non-pipeline mode of transportation may specify the duration for such permitted use. Such permit may be extended upon a showing of good cause based upon a consideration of the findings listed above. A permit based on finding (b) shall be granted for two months only. If refinery upset conditions continue beyond two months and the shipper wishes to continue use of a non-pipeline transportation mode, the shipper must seek a new or modified permit that is based on a consideration of finding (a), (c), or (d). In all cases, the burden of proof as to pipeline unavailability or inadequate capacity, unreasonable tariffs, and the need for and use of other transportation systems shall be on the shipper.

- j. Except in an emergency, no materials, equipment, tools, or pipes used for plant operation shall be delivered to or removed from the plant site through streets within a residential district between the hours of 7 p.m. and 7 a.m. of the next day.
- k. Within the South Coast Consolidation Planing Area, operators and owners of County-designated consolidated facilities and sites shall make their facilities and property available for commingled processing and consolidation of oil and gas facilities on an equitable and nondiscriminatory basis. If existing processing capacity is insufficient to accommodate proposed production and necessary new facilities are not permissible pursuant to the County's consolidation policies, operators of consolidated facilities shall reduce throughput on a pro-rata basis to accommodate other developers. *(Added by Ord. 3701)*

6. Facility and Site abandonment Within the South Coast Consolidation Planning Area:

- a. The County shall review permits that are approved after August 12, 1985 for new or modified oil and gas facilities when throughput, averaged (arithmetic mean) over any twelve (12) consecutive months, does not exceed 3 percent of the facility's maximum permitted operating capacity. The review shall be conducted in a duly-noticed public hearing to determine if facility abandonment or facility modifications are appropriate. *(Added by Ord. 3701)*

Sec. 35-155. Onshore Supply Base and Piers and Staging Areas Necessary or Related to Offshore Oil and Gas Development.

(Amended by Ord. 3537, 10/8/85)

- 1. Applicability: The specific regulations contained within this section shall apply to the onshore portion of supply bases and/or piers and staging areas established for shipping equipment, supplies, and personnel to offshore areas during exploratory, development, or petroleum production operations. For all districts in which piers and staging areas are permitted or conditionally permitted, the district regulations of Division 4 shall be inapplicable to said use.
- 2. Permitted Districts.
 - a. Supply bases, piers and staging areas are permitted uses in the Coastal-Dependent Industry (M-CD) District (if the use requires a site on or adjacent to the sea in order to function at all) and in Coastal-Related Industry (M-CR) District, except: *(Amended by Ord. 3947, 11/19/91)*
 - 1) Where the property is subject to the Environmentally Sensitive Habitat Area Overlay District (ESH), such facilities shall not be permitted within the area subject to the ESH.
 - 2) Where the proposed facility is subject to the View Corridor Overlay District (VC), such facilities shall require a Conditional Use Permit, as provided in Sec. 35-172.

- b. Piers and staging areas are permitted subject to a Major Conditional Use Permit, in the following districts:
 - 1) Agriculture II (AG-II)
 - 2) Rural Residential (RR)
 - c. The continued use of all existing piers and staging areas is permitted.
3. Processing. No permits for development including grading shall be issued except in conformance with an approved Final Development Plan, as provided in Sec. 35-174 (Development Plans), and with Sec. 35-169 (Coastal Development Permits). Supply bases shall also be subject to an approved Specific Plan as provided in Sec. 35-175 (Specific Plans). In addition to the other information required under Sec. 35-175 (Specific Plans), the following information must be filed with a Supply Base Specific Plan application.
- a. Purpose and need for the project, including a description of the service area;
 - b. Applicable LCP goals and policies and project compatibility, including mitigation measures and provisions for resource protection;
 - c. Consistency with and relationship to local, state, and federal regulations and coordination with government agencies;
 - d. Circulation Plan and transportation analysis;
 - e. Open Space and Coastal Access Plan;
 - f. Phasing Plan, including abandonment;
 - g. Description of public services/utilities, including mitigation of identified constraints;
 - h. Socioeconomic data, including proposed employment and generation of expenditures;
 - i. Description of facilities screening from public viewing places and buffering from adjacent land uses;
 - j. Description of safety features;
 - k. Air quality data, including emissions inventory and offsets;
 - l. Identification of site constraints due to biological, geological, and cultural resources and similar factors;

- m. Identification of recreation resources and mitigation of potential impacts;
- n. Description of proposed operating policies which assure the facilities will be open to all potential users on fair and equitable terms.

4. Findings Required for Approval of Development Plans.

In addition to the findings for Development Plans set forth in Sec. 35-174.7. (Development Plans), no Preliminary or Final Development Plan shall be approved unless the Planning Commission also makes all of the following findings:

- a. There are no feasible alternative locations for the proposed pier or staging area that are less environmentally damaging.
- b. The proposed facility is compatible with the present and permitted recreational and residential development and the scenic resources of the surrounding area.
- c. Consolidation at an existing facility is not feasible or is more environmentally damaging.
- d. For Supply Base Specific Plan Applications:
 - 1) There is a proven need for the project.
 - 2) The project provides a net environmental advantage as determined during the environmental review process.

5. Development Standards.

- a. At such time as piers are no longer needed for petroleum operations, the County shall be given the right of first refusal to purchase the piers. The piers shall not be dismantled or sold to private parties unless the County Board of Supervisors decides not to purchase it.
- b. Permanent structures and equipment shall be painted in a neutral color so as to blend in with natural surroundings.
- c. Where applicable, the applicant has received "authority to construct" from the Air Pollution Control District.
- d. Setbacks for Buildings and Structures other than Piers:
 - 1) Front. Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of the street.

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- 2) Side. Ten (10) feet. On corner lots, the side yard along the street shall conform to the above front setback regulations.
- 3) Rear. Ten (10) feet, except that:
 - a) for any lot that has a rear boundary which abuts a lot zoned residential, fifty (50) feet.
- e. Height Limit. No building or structure shall exceed a height of forty-five (45) feet.
- f. Parking. As provided in DIVISION 6--PARKING REGULATIONS.
- g. Landscaping/Screening. All property lines shall be provided with landscaping sufficient to screen from view any buildings or structures. In addition, where any portion of a lot subject to these regulations abuts a lot in a residential district, a masonry wall not less than six (6) feet in height shall be provided.
- h. Outdoor storage areas shall be screened from view of any street by a wall or fence six (6) feet in height. Such wall or fence shall be located not closer than five (5) feet to the street right-of-way line. The space between the wall and fence and the street shall be landscaped. Areas where stored materials or equipment exceed a height of six (6) feet shall be landscaped by a row of trees of a type approved by the County Landscape Planner to provide continuous screening to an approximate height of not less than twenty (20) feet nor more than (40) feet when mature.

Sec. 35-156. Marine Terminals.

(Amended by Ord. 3745, 11/21/88)

1. Applicability. The specific regulations contained within this section shall apply to the onshore portion of the components of a marine terminal which include loading and/or unloading equipment, storage tanks, terminal control and safety equipment and navigational facilities but not including pipelines. The regulations for pipelines and related facilities are located in Sec. 35-157. These regulations shall apply to existing and new marine terminals and as of April 12, 1967, there exists in the

County four (4) marine terminals which are located at Cojo Bay, Gaviota, El Capitan and Coal Oil Point.

2. Permitted Districts. Marine terminals are a permitted use in the Coastal-Related Industry (M-CR) District. They are also permitted in the Coastal-Dependent Industry (M-CD) District if such use is determined to require a site on or adjacent to the sea to be able to function at all. *(Amended by Ord. 3947, 11/19/91)* However,
 - a. No more than one (1) additional marine terminal to the number in existence within the County as of April 12, 1967, shall be permitted in the area east of Point Conception.
 - b. Where the land to be used for the onshore portions of the marine terminal is also subject to the Environmentally Sensitive Habitat Area Overlay District (ESH), such facilities shall not be permitted.
 - c. Where the land to be used for the onshore portions of the marine terminal is also subject to the View Corridor Overlay District (VC), such facilities require a Major Conditional Use Permit, as provided in Section 35-172.
 - d. After adoption of a Resolution by the County Board of Supervisors that an onshore pipeline for transporting crude oil to refineries is technically and economically feasible, new marine terminals shall not be a permitted use in any district and existing marine terminals shall continue to be a permitted use until the pipeline is operational, at which time they shall become legal nonconforming uses. After the pipeline is operational, marine terminals are a use permitted subject to a Major Conditional Use Permit in the Coastal-Related Industry (M-CR) District, and if determined to require a site on or adjacent to the sea to be able to function at all in the Coastal-Dependent Industry (M-CD) District. Marine terminals are permitted in these two districts only upon a finding, in addition to those normally required for a marine terminal, as set forth in paragraph 4, that transshipment of oil by onshore pipeline is not feasible for the particular operator. *(Amended by Ord. 3947, 11/19/91)*

- e. Major oil storage facilities shall be consolidated and shall support the most environmentally preferred oil transportation system. Minor storage facilities may be allowed at specific operating areas where clearly needed, where it can be shown that it is not feasible to provide such storage at the consolidated site(s), where it is located in the least environmentally damaging location and where the adverse environmental impacts are mitigated to the maximum extent feasible.
3. Processing.
- No permits for development including grading shall be issued except in conformance with an approved Final Development Plan, as provided in Sec. 35-174. (Development Plans), and with Sec. 35-169. (Coastal Development Permits).
- In addition to the other information required under Sec. 35-174.3. (Development Plans), the following information must be filed with a Preliminary or Final Development Plan application:
- a. An updated emergency response plan, that addresses the potential consequences and actions to be taken in the event of hydrocarbon leaks or fires. The emergency response plan shall be approved by the County's Emergency Services Coordinator and Fire Department.
 - b. A phasing plan for the staging of development which includes the estimated timetable for project construction, operation, completion, and abandonment, as well as location and amount of land reserved for future expansion.
4. Findings Required for Approval of Development Plans.
- In addition to the findings for Development Plans set forth in Sec. 35-174.7. (Development Plans), no Preliminary or Final Development Plan shall be approved unless the Planning Commission also makes all of the following findings:
- a. There are no feasible alternative locations for the proposed marine terminal that are less environmentally damaging.
 - b. Expansion of an existing marine terminal onto adjacent lands is not feasible or is more environmentally damaging.

- c. The proposed facility is compatible with the present and permitted recreational, educational, and residential development and the scenic resources of the surrounding area.
5. Development Standards.
- a. The level of noise generated by the facility at the property boundary shall not exceed 70 dB(A).
 - b. The applicant has received "authority to construct" from the Air Pollution Control District.
 - c. There shall be no visible emission of smoke.
 - d. Permanent structures and equipment shall be painted a neutral color so as to blend in with natural surroundings.
 - e. The installation shall be visually compatible with the potential surroundings by use of any or all of the following measures where applicable: Buffer strips; depressions, natural or artificial; screen planting and landscaping continually maintained; camouflage and/or blending colors.
 - f. All lights shall be shielded so as not to directly shine on adjacent properties.
 - g. Grading and alteration of natural drainages shall be minimized.
 - h. Adequate provision shall be made to prevent erosion and flood damage.
 - i. Except in an emergency, no materials, equipment, tools, or pipes used for marine terminal operations shall be delivered to or removed from the plant site through streets within a residential district between the hours of 7 p.m. and 7 a.m. of the next day.
 - j. The following standards must be achieved on site or through off-site mitigation:
 - 1) The facility shall not have a significant visual impact.
 - 2) The significance of visual impact shall be determined based on a visual contrast rating developed according to the United States Bureau of Land Management Scenic Quality Inventory and Evaluation System (1981), which utilizes a scale ranging from 0

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- (best) to 33 (worst). A score of 7 or greater (more severe) following mitigation shall be considered significant.
- 3) No known or potential significant habitat for locally rare or regionally endemic species shall be adversely affected by the facility.
- k. Oil storage facilities shall meet each of the following goals on site or through off-site mitigation except where aggregate impacts, notwithstanding one or more exceedances of the following goals, demonstrate that a particular site is the least environmentally damaging reasonable site available:
- 1) To ensure public health and safety, human exposure to risk of an accident at the tank farm shall be limited to an aggregate of 240 person hours per day on average, exclusive of facility employees, within one-half (1/2) mile of the proposed facility;
 - 2) Not more than 1.6 acres or their equivalent of high productivity terrestrial habitat (equivalent to 1025 acres of industrial use land) shall be disturbed;
 - a) Impacts on terrestrial habitat shall be assessed based on a detailed environmental analysis of site-specific conditions.
"Equivalent acres" shall be determined according to the following guidelines based on a standard of high productivity terrestrial habitat based on wetland productivity and biological assessments, but the determination of the environmentally preferable site and mitigation programs shall be based on site-specific environmental data.

<u>Habitat Type</u>	<u>High Productivity Habitat Equivalent</u>
Wetland	1 acre
Native Grassland	3 acres
Undisturbed Riparian	3 acres
Coastal Strand	5 acres
Disturbed Riparian	9 acres
Coastal Bluff Scrub	10 acres
Oak Woodland/Forest	10 acres
Coastal Sage Scrub	15 acres
Chaparral	20 acres
Cismontane Introduced Grassland	50 acres
Agricultural/Introduced Plantings	200 acres
Recently Disturbed	200 acres
Industrial	640 acres.

(eg., 40 acres Coastal Bluff Scrub is equivalent to 4 acres of high productivity habitat.)

The interpretation of the Coastal Zoning Ordinance shall not result in less resource protection than mandated by Environmentally Sensitive Habitat areas (ESH) protection policies and other policies contained within this Coastal Plan.

- 3) Not more than 0.064 acres or their equivalent of high productivity marine habitat (equivalent to 1.19 acres of sandy beach) shall be disturbed by a ballast water treatment outfall associated with a marine terminal;
 - a) Impacts on marine ecology shall be assessed based on a detailed environmental analysis of site-specific conditions. "Equivalent acres" shall be determined according to the following guidelines based on a standard of high productivity rocky bottom kelp habitat, but the

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determination of the environmentally preferable site and mitigation programs shall be based on site-specific environmental data:

<u>Habitat Type</u>	<u>High Productivity Habitat Equivalent</u>
Kelp, rocky bottom	1 acre
High relief boulder/ Exposed intertidal reefs	1.6 acres
Kelp, sandy bottom	3 acres
Low relief intertidal bedrock reefs	6.9 acres
Cobble/gravel beach	8.1 acres
Hard bottom/deep water (no kelp)	10.8 acres
Silty/mud bottom	17.1 acres
Sand beach	18.6 acres

- 4) No residents shall be subject to greater than a 9 dB increment above baseline in ambient noise level;
- 5) No significant cultural resources shall be adversely affected.

Sec. 35-157. Oil and Gas Pipelines.

(Amended by Ord. 3745, 11/21/88)

1. Applicability.

The specific regulations contained within this section shall apply to:

- a. All oil and gas pipelines that extend outside the applicants lease area (e.g., transmission and distribution lines).
- b. All oil and gas pipelines transporting oil and gas from or to an offshore area.
- c. Facilities related to the pipeline (e.g., pump stations, etc.).
- d. Major oil storage facilities associated with pipelines shall be subject to the regulations contained in Section 35-156. For all districts in which oil and gas pipelines or related facilities are permitted uses or uses permitted with a Conditional Use Permit, the district regulations of Division 4 shall be inapplicable to said use. The regulations for pipelines located within a lease area that are necessary for oil and gas production operations are contained within Sec. 35-153. (Onshore Oil and Gas Production).

2. Permitted Districts. Oil and gas pipelines (including gas utility lines) shall be a permitted use within all zone districts except that where the property to be used for the pipeline is subject to an Environmentally Sensitive Habitat Area Overlay District (ESH), a Major Conditional Use Permit, as provided in Sec. 35-172., is required.

3. Processing. No permits for development including grading shall be issued except in conformance with an approved Final Development Plan, as provided in Sec. 35-174. (Development Plans), and with Sec. 35-169. (Coastal Development Permits). In addition to the other information required under Sec. 35-174.3. (Development Plans), the following information must be filed with a Preliminary or Final Development Plan application:

- a. An updated emergency response plan that addresses the potential consequences and actions to be taken in the event of hydrocarbon leaks or fires. The emergency response plan shall be approved by the County's Emergency Services Coordinator and Fire Department.

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- b. A survey of the pipeline corridor to identify the potential impacts on coastal resources. The survey shall be conducted by a consultant approved by the County, the Department of Fish and Game and the applicant.
 - c. If it is determined by the survey that any portion of the pipeline corridor to be disturbed will not revegetate naturally or in sufficient time to avoid other damage (e.g., erosion), a revegetation or restoration plan shall be prepared. The plan shall also include provisions for restoration of any habitats which will be disturbed by construction or operational procedures.
4. Findings Required for Approval of Development Plans. In addition to the findings for Development Plans set forth in Sec. 35-174.7. (Development Plans), no Preliminary or Final Development Plan which proposes new pipeline construction outside of industry facilities shall be approved unless the Planning Commission also makes the following findings:
- a. Use of available or planned common carrier and multiple-user pipelines is not feasible; and
 - b. Pipelines will be constructed, operated, and maintained as common carrier or multiple-user pipelines unless the Planning Commission determines it is not feasible. Applicants have taken into account the reasonable, foreseeable needs of other potential shippers in the design of their common carrier and multiple-user pipelines. Multiple-user pipelines provide equitable access to all shippers with physically compatible stock on a nondiscriminatory basis; and
 - c. New pipelines are routed in approved corridors that have undergone comprehensive environmental review unless the Planning Commission determines that such corridors are not available, safe, technically feasible, or the environmentally preferred route for the proposed new pipeline; and
 - d. When a new pipeline route is proposed, it is environmentally preferable to all feasible alternative routes; and

- e. When a new pipeline is proposed, the project's environmental review has analyzed the cumulative impacts that might result from locating additional pipelines in that corridor in a future; and
 - f. Concurrent or "shadow" construction has been coordinated with other pipeline projects that are expected to be located in the same corridor where practical.
5. Development Standards.
- a. Except in an emergency, no materials, equipment or tools used for pipeline construction shall be delivered to or removed from a pipeline construction site through streets within a residential zone district between the hours of 7 p.m. and 7 a.m. of the next day.
 - b. For projects in which a revegetation plan and/or habitat restoration plan has been prepared, a performance security shall be provided in an amount sufficient to ensure completion of all requirements of the approved revegetation and/or restoration program and shall be released upon satisfactory completion.
 - c. For projects in which a revegetation plan and/or habitat restoration plan has been prepared, the affected pipeline segment shall be resurveyed one year after completion of construction to assess the effectiveness of the revegetation and restoration program. This survey shall continue on an annual basis to monitor progress in returning the site to pre-construction conditions or until no additional monitoring is deemed necessary by the County.
 - d. Herbicides shall not be used during pipeline construction.
 - e. All equipment and activities shall be restricted to the pipeline right-of-way to the maximum extent feasible.
 - f. After completion of back-filling and compacting of the pipeline ditch, the site shall be returned to grade where practical and the excess soil shall be removed to an approved disposal site.

- g. During construction of the pipeline, permanent blocking of surface drainages shall be avoided.
- h. A pipeline corridor shall be sited so as to avoid important coastal resources (e.g., recreation, habitat, and archaeological areas) to the maximum extent feasible.
- i. Where pipeline segments carrying hydrocarbon liquids pass through important coastal resource areas (e.g., recreation, habitat, archaeological, or other areas of significant coastal resource value), automatic shut-off valves shall be utilized to minimize the amount of spilled liquids in the sensitive area. The potential for damage in those areas shall be minimized by considering spill volumes, duration, and trajectories in the selection of a pipeline corridor. In addition, appropriate measures for spill containment and cleanup (e.g., catch basins to contain a spill) shall be included as part of the required emergency response plan.
- j. Following installation of a pipeline, use of the right-of-way shall be restricted to the pipeline easement.
- k. The applicant has received "authority to construct" from the Air Pollution Control District.
 - 1. Permits of new pipeline construction shall require engineering of pipe placement and burial within a corridor to minimize incremental widening of the corridor during subsequent pipeline projects, unless the proposed route is determined to be unacceptable for additional pipelines.

Sec. 35-158. Onshore Exploration and/or Production of Offshore Oil and Gas Reservoirs.

- 1. Applicability.
 - a. The specific regulations contained within this section shall apply only to the Gaviota and Las Flores Canyon Consolidated Oil and Gas Planning Areas as defined in Division 2 of this Article.

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- b. The specific regulations contained within this section shall apply to all equipment, buildings, activities and appurtenances necessary for the exploration and production of offshore oil and gas reservoirs from an onshore location including:
- 1) Collocated structures, equipment, or facilities necessary and incidental to drilling, dehydration and separation of oil, gas and condensate obtained from an offshore oil and/or gas reservoir including secondary recovery methods as set forth in Sec. 25-31 of the County Code.
 - 2) Injection wells and incidental equipment necessary for gas reinjection or disposal of oil and gas exploration and production wastes.
 - 3) Surge tanks necessary or incidental to separation and dehydration of oil and gas at the drill site and pipeline transportation to processing facilities.
 - 4) Temporary storage facilities required during exploration, during emergency circumstances, during remediation of contaminated soils, and during abandonment.
 - 5) Access roads and staging areas.
 - 6) Oil spill containment and recovery equipment including central office space and vehicles for the storage of floating oil/water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife clean-up equipment.
- c. The specific regulations contained within this section shall not apply to the injection, storage or withdrawal of natural gas from the Southern California Gas Company's storage field in Goleta, as described in Sec. 35-88.11 and regulated under the PU Zone District.

2. Permitted or Conditionally Permitted Districts.

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Exploration and production of oil and gas resources is permitted or conditionally permitted in the following Districts contained within the Gaviota and Las Flores Canyon Consolidated Planning Areas as defined in Division 2 of this Article:

- a. Coastal-Related Industry (M-CR).
 - b. Agricultural II (AG-II) - (Permitted with a Major Conditional Use Permit as provided in Sec. 35-172)
 - c. Where either of these districts is also subject to an Environmentally Sensitive Habitat Area (ESH), a Conditional Use Permit as provided in Sec. 35-172 is required.
3. Processing. Prior to the issuance of any Coastal Development Permit for exploration of offshore oil and gas reservoirs from an onshore location, an Exploration Plan shall be approved in accordance with Sec. 35-176. Additionally, prior to the issuance of any Coastal Development Permit for production of offshore oil and gas reservoirs from an onshore location, a Production Plan shall be approved in accordance with Sec. 35-176.
4. Findings Required for Approval of Exploration Plan.

In addition to the findings set forth in Sec. 35-176.5, Exploration Plans, the following findings must be made:

- a. That exploration occurring within a County designated site for consolidated oil and gas processing does not jeopardize space requirements for existing and projected consolidated processing and does not subject processing operations to undue risk.
 - b. That exploration sites are collocated with other exploration and/or production sites approved after January 1, 1996, to the maximum extent feasible.
5. Development Standards for Exploration.

In addition to the development standards set forth in Sec. 35-176.6 required for Exploration Plans and the regulations of the M-CR and AG-II districts, the following regulations shall apply. Where applicants seek an Exploration Plan in

conjunction with a Production Plan simultaneously, only the development standards for Production Plans shall be applicable.

- a. Oil and gas drilling rigs may exceed fifty (50) feet in height if the fifty foot height limit, as set forth in Section 35-127, is determined to render the development of the oil and/or gas reservoir technically infeasible.
- b. A drill site shall not exceed one (1) acre in size.
- c. Drilling rigs shall be shielded and soundproofed to be compatible with the surrounding area.
- d. All lights shall be shielded and directed so as not to directly shine on adjacent properties.
- e. Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during construction, operation and abandonment of oil and gas facilities. Where grading and alteration of natural drainages, watersheds, and hillsides is required to carry forth a project, adequate mitigation shall be required, including minimizing the effected area of impact by employing temporary vegetation, seeding, mulching, or other suitable stabilization. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.
- f. A site-specific restoration, erosion control, and revegetation plan shall be prepared for all areas impacted by construction.
- g. A Production Plan shall be submitted within one year of the issuance of the Coastal Development Permit for the exploratory drilling. The Director of Planning and Development may extend this deadline by no more than one year upon written request by the operator and demonstration of good cause. Failure to submit a Production Plan within the required period will require that the operator abandon the exploration well(s) and related facilities pursuant to Chapter 25 of the County Code and any other abandonment and restoration policies and procedures in place at that time.

- h. An abandonment plan shall be prepared to address the abandonment of the facilities to be built during exploration. To ensure that abandonment is carried out, a performance bond or other acceptable financial mechanism shall be posted by the operator prior to issuance of a Coastal Development Permit in an amount commensurate with the estimated costs of obtaining permits for site abandonment, and the costs of abandonment and restoration of the site. The bond or other financial security shall be returned to the applicant upon successful abandonment and restoration of the site.
- i. The applicant shall obtain an "authority to construct" from the Air Pollution Control District before commencing operations.
- j. An Emergency Response Plan, a Fire Protection Plan, a Hazardous Materials and Waste Management Plan, a Hydrogen Sulfide Incident Plan shall be prepared for the facilities. Additional contingency plans (e.g., Flood Control Plan) may be required on a project-by-project basis.
- k. The proposed development shall have an adequate water source consistent with County Land Use Development Policies. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to insignificance through adequate erosion and sediment controls, including containment of loose soil. Additionally, significant impacts to surface and groundwater due to oil spills shall be mitigated to the maximum extent feasible through adequate preventative and protective measures, including containment basins, dikes, and timely remediation of contaminated soils during operations. Specific mitigation shall be based on project-specific potential for causing significant impacts.

6. Findings Required for Approval of Production Plan.

In addition to the findings set forth in Sec. 35-176.10, Production Plans, the following findings must be made.

- 1. That production occurring within a County designated site for consolidated oil and gas processing does not jeopardize space requirements for existing and projected consolidated processing.

2. That production sites are collocated with other exploration and/or production sites approved after January 1, 1996, to the maximum extent feasible.
3. Sufficient pipeline capacity to transport processed crude oil, processed natural gas, and heavier fractions of natural gas liquids is reasonably available for the life of the project.

7. Development Standards for Production Activities.

In addition to the development standards set forth in Sec. 35-176.10 required for Production Plans and the regulations of the M-CR and AG-II districts, the following regulations shall apply.

- a. Oil and gas drilling rigs may exceed fifty (50) feet in height if the fifty foot height limit, as set forth in Section 35-127, is determined to render the development of the oil and/or gas reservoir technically infeasible.
- b. Except in an emergency, no materials, equipment, tools, or pipe used for production shall be transported through streets within a residential district, between the hours of 7 p.m. and 7 a.m. of the next day.
- c. The site or the moving parts of operating machinery shall be enclosed with an adequate non-combustible type fence, wall, screen, or housing sufficient to prevent unauthorized access thereto and having a height of at least six (6) feet. Fences greater than eight (8) feet in height are subject to the permit requirements of Sec. 35-123 of this ordinance.
- d. Drilling rigs shall be shielded and soundproofed to be compatible with the surrounding area.
- e. Visual impacts shall be mitigated to the maximum extent feasible, including but not limited to the following measures:
 - i. Drilling operations shall be located so as to minimize intrusion of drill rigs into publicly accessible viewsheds.
 - ii. A Site Screening and Lighting Plan, including provisions for screening equipment and directing and shielding lighting so as not to directly shine offsite or produce excessive glare, shall be

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submitted to the Planning and Development Department for review and approval prior to land use clearance. Such provisions shall be applied to the drill rig to the maximum extent feasible.

- f. Any machinery used in the production shall be so designed and housed that noise and vibration shall be reduced to a minimum and the operation thereof will be compatible with the level of surrounding areas.
- g. The applicant shall obtain an "authority to construct" from the Air Pollution Control District before commencing operations.
- h. Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during construction, operation and abandonment of oil and gas facilities. Where grading and alteration of natural drainages, watersheds, and hillsides is required to carry forth a project, adequate mitigation shall be required, including minimizing the effected area of impact by employing temporary vegetation, seeding, mulching, or other suitable stabilization. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.
- i. A site-specific restoration, erosion control, and revegetation plan shall be submitted with the Production Plan application and shall address all areas impacted by construction.
- j. Drill site facilities and pipelines shall be designed to withstand maximum credible earthquakes and associated peak ground accelerations that have been determined for the site.
- k. Secondary recovery operations may be carried out in accordance with Sec. 25-31 of the County Code so long as such operations were included as part of the project description, processed through environmental review, and made part of the permitted project. Secondary recovery operations proposed after initial project approval shall be subject to additional environmental review and permitting.

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1. All transportation of oil to a refinery center shall be subject to the LCP Policy 6-8 and the development standards set forth in Sec. 35-154. All transportation of natural gas liquids shall be accomplished in accordance with County-approved practices to protect public safety, including, but not limited to, the following precautions:
 - i. Butane and heavier gas-liquid fractions shall be blended with crude oil for shipment by pipeline to the extent feasible or marine tanker;
 - ii. Shipments by highway shall be limited to routes approved by the County;
 - iii. carriers shall be selected and monitored in accordance with a County-approved Transportation Risk Reduction and Prevention Program prepared by the shipper;
 - iv. Additional public services such as increased enforcement of traffic regulations by the California Highway Patrol shall be funded by the shippers on a prorated basis.
- m. Within 60 days of abandonment of facility operations, the operator shall submit an Abandonment and Restoration Plan addressing the abandonment of the wells and removal of all production equipment pursuant to Sec. 25-32 and 25-33 of the County Code and include provision for site restoration and revegetation.
- n. To ensure that abandonment is carried out, a performance bond or other acceptable financial mechanism shall be posted by the operator prior to commencement of operations in an amount commensurate with the estimated costs of obtaining permits for site abandonment, and the costs of abandonment and restoration of the site. The bond or other financial security shall be returned to the applicant upon successful abandonment and restoration of the site.
- o. All offsite pipelines shall be protected from rupture and leaks in the following manner:

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- i. External corrosion shall be reduced to insignificance through appropriate measures, including cathodic protection and proper coating;
 - ii. Internal corrosion shall be reduced to insignificance through deployment of scrapers, corrosion inhibitors, and single-phased streams as appropriate;
 - iii. External mechanical interference shall be reduced to insignificance through adequate warning devices, participation in an acceptable one-call system to warn third-party excavation of a pipeline presence, and adequate protection and emergency access to pipeline right-of-ways.
 - iv. Adequate testing of pipelines following ground movement or subsidence.
 - v. Where technically feasible and at appropriate time intervals, all offsite pipelines shall be tested with state-of-the-art "smart pigs" to identify occurrences of corrosion, pipewall thinning, dents, cracks and other defects.
- p. For production and handling of gas and natural gas liquids (or any other hazardous material used in production in volumes sufficiently large to pose a significant risk to public safety), a quantitative risk analysis shall be prepared as part of the environmental review. This risk analysis shall be further revised as needed to reflect reduction of risk based on required mitigation and any other changes in risk due to changes in factors that define the risk.
- q. A Hazard and Operability Study (HAZOP) shall be prepared for the production and ancillary facilities.
- r. A Safety, Inspection, Maintenance and Quality Assurance Program (SIMQAP) shall be prepared for construction and operation of the production and ancillary facilities.

- s. The proposed development shall have an adequate water source consistent with County Land Use Development Policies. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to insignificance through adequate erosion and sediment controls, including containment of loose soil. Additionally, significant impacts to surface and groundwater due to oil spills shall be mitigated to the maximum extent feasible through adequate preventative and protective measures, including containment basins, dikes, and timely remediation of contaminated soils during operations. Specific mitigation shall be based on project-specific potential for causing significant impacts.
- t. In accordance with CLUP Policy 2-6, the proposed development shall have adequate public and private services and resources.
- u. Adequate setbacks, grading controls, measures to prevent, contain, and minimize damage from oil and gas liquid spills, or from fires and explosions, shall be required as necessary to protect potentially impacted environmentally sensitive habitat areas. Any areas damaged by spills, fires, or explosions shall be restored to pre-spill conditions at the expense of the project operator and owners. In order to provide adequate restoration, the project operator or owner shall provide the County inventories of sensitive species and surveys as well as emergency response and restoration plans for approval by the Planning and Development Department before commencement of production.
- v. Environmentally sensitive resources shall be protected in accordance with policies in section 3.9 of the Coastal Land Use Plan. Residual significant impacts shall be offset with exaction of mitigation fees, paid to the Coastal Resources Enhancement Fund.
- w. Archaeological and historical resources shall be protected in accordance with Section 3.10 of the Coastal Land Use Plan, and significant impacts shall be mitigated to the maximum extent feasible, potentially including the following measures:

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- i. consider alternative sites and pipeline corridors within the designated planning area that lessen impacts to archaeological and historical resources;
- ii. as necessary, Phase I, II, and III assessments shall be conducted at the expense of the applicant;
- iii. areas containing resources shall be fenced and appropriately protected during grading and construction, and the County shall require monitoring of the site during grading and construction (including abandonment) by an approved archaeologist and Native American as applicable;
- iv. an educational workshop shall be conducted for construction workers prior to and during construction as the County deems necessary for specific projects.

Sec. 35-159. Reserved For Future Use.