

1 **3.11 LAND USE AND PLANNING**

LAND USE AND PLANNING - Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2 **3.11.1 Environmental Setting**

3 3.11.1.1 Onshore

4 The onshore Project site is located within the Gaviota Coast Planning Area (SBC 2009).  
 5 The LFCPF and POPCO are located on 34 acres of a 1,500-acre parcel owned by  
 6 ExxonMobil. Both facilities are located on property zoned M-CR, Coastal-Related  
 7 Industry. The surrounding parcels are zoned AG-II-100 and AG-II-340; Agriculture, 100  
 8 to 340 acre minimum parcel size (SBC 2011). The SBC’s Comprehensive Plan land use  
 9 designation is AG-II-100 and AG-II-320, 100 to 320 acre minimum parcel size with a  
 10 Petroleum Resource Industry Overlay. Historic land use was agricultural and oil and gas  
 11 development.

12 3.11.1.2 Offshore

13 The existing cables are located within State waters (CSLC lease PRC 7163.1), which  
 14 extend to the State-Federal boundary (3 nm offshore). The cables continue into Federal  
 15 waters under existing OCS oil and gas lease OCS-P 0182, 0188, and 0192 with the  
 16 BSEE (formerly MMS).

17 The California Coastal Commission (CCC) issued a permit for the onshore and State  
 18 waters portion of the original Project in 1983 and has consistency review authority over  
 19 Federal action(s) taken on the Project under the Coastal Act. The CCC found the  
 20 original Project consistent with the California Coastal Act as part of the State’s  
 21 obligation to determine Federal consistency with projects located in Federal jurisdiction  
 22 that may affect State waters.

23 Condition #3 of ExxonMobil’s CCC permit addresses the abandonment of Project  
 24 facilities as follows: “Prior to termination of the operation of any of the facilities

1 authorized by this permit, Exxon [ExxonMobil] shall apply for a coastal permit for the  
 2 abandonment of the subject facilities. A permit application for facility abandonment shall  
 3 include plans for site restoration.” ExxonMobil proposes to meet this condition by  
 4 submitting a plan for retrieval of the out-of-service cables from the nearshore area to  
 5 just beyond the State-Federal Boundary as part of this Project with the remaining cables  
 6 removed at the end of the SYU project life.

7 **3.11.2 Regulatory Setting**

8 3.11.2.1 Federal and State

9 Federal and State laws and regulations pertaining to this issue area and relevant to the  
 10 Project are identified in Table 3.11-1.

**Table 3.11-1. Laws, Regulations, and Policies (Land Use and Planning)**

<b>U.S.</b>	• CZMA (see Table 1.3).
	• Clean Water Act Section 404 (33 USC 1344) and Section 10 Rivers and Harbors Act (33 USC 403)
	• BSEE - 30 CFR 250 - General Requirements for Platforms
	• Magnuson-Stevens Act, ESA Section 7, Marine Mammal Protection Act - 16 USCA 1513, 50 CRF Section 17
	• National Historic Preservation Act - SHPO Section 106
<b>CA</b>	• Coastal Act Chapter 3 policies (see also Table 1-3)
	• Clean Water Act (CWA) Porter-Cologne State Water Quality Act (1969)
	• Clean Air Act (1990) - Authority to Construct/Permit to Operate

11 3.11.2.2 Local

12 Local goals, policies, and/or regulations applicable to this issue area are listed below.

13 The SBC Coastal Land Use Plan (Adopted 1982, Republished June 2009) regulates  
 14 land use within the SBC in accordance with the California Coastal Act. Specifically,  
 15 Policy 1-1 states that the SBC shall adopt the policies of the Coastal Act (Pub.  
 16 Resources Code, §§ 30210-30263) as the guiding policies of the land use plan.

17 Oil and gas production is regulated under the SBC’s Petroleum Ordinance No. 2795 (as  
 18 amended by Ordinance No. 2832) which incorporates provisions of other administrative  
 19 units, including the Division of Oil and Gas and the Water Quality Control Board.  
 20 Regulations cover drilling, producing, operating and abandonment; petroleum wells,  
 21 pipelines, tanks, and associated equipment; erosion; pollution; fire hazards; and, finally,  
 22 require a performance bond.

23 Operations on oil and gas sites and impacts of operation on adjoining land uses are  
 24 covered by the SBC Zoning Ordinance No. 661, under several sections.

- 1       • *Policy 6-2:* The Development Plan shall accompany the application for permit  
2       filed with the Petroleum Administrator. It shall be reviewed annually by the  
3       Petroleum Administrator and updated as needed or when additional changes in  
4       facilities or operating conditions are proposed and accepted. The Development  
5       Plan shall consist of the following:
- 6       • (f). A phasing plan for the staging of development which indicates the  
7       approximate anticipated timetable for Project installation, completion,  
8       consolidation, and decommissioning.

### 9       **3.11.3 Impact Analysis**

#### 10      ***a) Physically divide an established community?***

11      **No Impact.** The Project would not physically divide an established community.

#### 12      ***b) Conflict with any applicable land use plan, policy, or regulation of an agency 13      with jurisdiction over the Project (including, but not limited to the general plan, 14      specific plan, local coastal program, or zoning ordinance) adopted for the 15      purpose of avoiding or mitigating an environmental effect?***

16      **Less than Significant Impact.** As currently proposed, the Project would not introduce  
17      any land uses incompatible with existing land uses (or land use plan) nor would it  
18      involve the installation of any incompatible structures. The Project involves the retrieval  
19      and replacement of out-of-service cables and the installation of fiber optic cables to the  
20      facilities located at the upper LFCPF facilities. The cables would be installed in the  
21      same conduit as the out-of-service cables. The fiber optic cables would be installed  
22      within existing facilities from the lower canyon pull-box up to the POPCO facility; no  
23      significant structural modifications would be required. The Project is consistent with all  
24      local land use plans, policies and existing Project conditions. In addition, in order to  
25      ensure consistency with adopted land use plans and policies, ExxonMobil will remove  
26      replacement power cables as well as the remaining out-of-service cables in their  
27      entirety at the end of the Santa Ynez Unit project life.

#### 28      ***c) Conflict with any applicable habitat conservation plan or natural community 29      conservation plan?***

30      **No Impact.** The Project would not conflict with any applicable habitat conservation plan  
31      or natural community conservation plan. Please refer to Section 3.4, Biological  
32      Resources (Terrestrial) for additional details.

### 33      **3.11.4 Mitigation Summary**

34      No impacts would result. Therefore, no mitigation measures are proposed.