



**COUNTY OF SAN LUIS OBISPO  
BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 8/18/2020	(3) CONTACT/PHONE Schani Siong, Senior Planner / (805) 781-4374	
(4) SUBJECT Request to authorize the Planning and Building Department Director to enter into a Memorandum of Understanding with the County of Santa Barbara and the City of Santa Maria regarding coordinated preparation and review of the Environmental Impact Report for the Phillips 66 pipeline replacement and relocation project; not a project under CEQA. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board authorize the Director of Planning and Building to enter into a Memorandum of Understanding ("MOU") with the County of Santa Barbara and the City of Santa Maria in order to coordinate the environmental review and analysis for the Phillips 66 pipeline line replacement and relocation project.			
(6) FUNDING SOURCE(S) Phillips 66	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> MOU <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? N/A	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW  Zachary A. Lute			
(18) SUPERVISOR DISTRICT(S) District 4			



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Schani Siong, Senior Planner

VIA: Trevor Keith, Director

DATE: August 18, 2020

SUBJECT: Request to authorize the Planning and Building Department Director to enter into a Memorandum of Understanding with the County of Santa Barbara and the City of Santa Maria regarding coordinated preparation and review of the Environmental Impact Report for the Phillips 66 pipeline replacement and relocation project; not a project under CEQA. District 4.

### **RECOMMENDATION**

It is recommended that the Board authorize the Director of Planning and Building to enter into a Memorandum of Understanding ("MOU") with the County of Santa Barbara and the City of Santa Maria in order to coordinate the environmental review and analysis for the Phillips 66 pipeline line replacement and relocation project.

### **DISCUSSION**

Phillips 66 Pipeline LLC (Phillips 66) is proposing to replace and relocate approximately 36 miles of its Line 300 pipeline system. The proposed project is located in three jurisdictions: Santa Barbara County, San Luis Obispo County and the City of Santa Maria. The majority of the project is located in Santa Barbara County. Santa Barbara County is the Lead Agency for purposes of California Environmental Quality Act (CEQA) review.

The Line 300 pipeline transports crude oil from various production facilities in and adjacent to Santa Barbara and San Luis Obispo counties to Phillips 66's Santa Maria Refinery (SMR) which is located in southwestern San Luis Obispo County. Of the 36 miles of pipeline, approximately 12.7 miles of pipeline is located in southern San Luis Obispo County within the unincorporated areas of the county and the community of Nipomo. Relocation of the existing pipeline will result in an increase of approximately 7 miles of pipeline in Santa Barbara County and a decrease of approximately 6 miles in San Luis Obispo County (see attached location map). One of the reasons for the relocation is to move the pipeline from the residential/ urban area and relocate to rural/ agricultural areas.

As reflected in the location map, the proposed Project spans three separate jurisdictions, each with their own separate land use authority. The purpose of this request is to enter into an MOU with Santa Barbara County and the City of

Santa Maria in order to coordinate environmental review of the entire Project amongst the three agencies. Coordinated environmental review will help avoid duplication in jurisdiction efforts, promote intergovernmental coordination, and serve the public interest by producing a more efficient and, at the same time comprehensive, environmental review process. The MOU also includes a provision which allows draft CEQA documents to be confidentially shared amongst the three agencies per Government Code Section 6254.5(e) and other applicable law. It should be noted that although environmental review will be coordinated, each agency retains their respective land use authority. As such, each agency will be responsible for issuing their own land use permit based on the information contained in the Environmental Impact Report. Each agency retains the right to utilize their own unique thresholds of significance and methodology.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

In addition to being located within the jurisdiction of Santa Barbara County and San Luis Obispo County, the Project would also be located within the boundaries of City of Santa Maria.

County Counsel reviewed the MOU as to form and legal effect.

### **FINANCIAL CONSIDERATIONS**

All costs for this project are fully reimbursed by the project applicant. Staff costs will be recovered through an administrative processing fee in compliance with the County Fee Schedule. The loss of any franchise or other right of way fees will be evaluated.

### **RESULTS**

Approving this request would authorize the Planning and Building Department Director to enter into a Memorandum of Understanding with the County of Santa Barbara and the City of Santa Maria.

### **ATTACHMENTS**

- 1 Attachment 1 - Location Map
- 2 Attachment 2 - MOU