

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF ADOPTING AN
AMENDMENT TO THE COMPREHENSIVE
PLAN, LAND USE ELEMENT, ADDING A
NEW POLICY TO PROMOTE TIMELY
AND PROPER ABANDONMENT OF
CERTAIN OIL AND GAS FACILITIES

RESOLUTION NO. 04-301

Case No. **04GPA-00000-00007**

WITH REFERENCE TO THE FOLLOWING:

- A. Santa Barbara County seeks to promote, by way of a formal process where one does not currently exist, the timely removal of facilities and appropriate reclamation of host sites following permanent cessation of an oil, gas, or oil/gas operation.
- B. The Santa Barbara County Planning Commission has recommended adoption of a policy that would provide the foregoing formal process.
- C. The Board has held a duly notice public hearing, as required by Section 65355 of the Government Code, at which this amendment to the Land Use Element was explained and comments invited from the persons in attendance.
- D. It is now deemed in the interest of the orderly development of the County of Santa Barbara and important to the preservation of the health and safety of the residents of said County to amend the Land Use Element of the Comprehensive Plan by adopting the following policy to Land Use Development Policies:

“Policy 13: Oil and gas facilities shall be dismantled and removed, their host sites cleaned of contamination and reclaimed to natural conditions, or conditions to accommodate reasonably foreseeable development, in an orderly and timely manner that avoids long-term impacts to the health, safety, and welfare of the public and environment.

Applicability: Policy 13 shall apply to all existing and future onshore land uses that are, or at one time were, wholly or partially dedicated to the production, processing, storage, and transportation of oil or gas derived from offshore reservoirs. Policy 13 shall also apply to all oil refineries, regardless of the source of crude oil.

Implementing Procedures:

- (a) The County shall establish a process in its Coastal and Inland Zoning Codes for determining if, based on reasonable evidence, permitted land uses or independent business functions thereof have discontinued operations permanently. The County shall also establish a discretionary process to permit the removal, retention, or

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abandonment in-place of facilities, structures, and improvements associated with permitted land uses determined to be abandoned, and to reclaim host sites to natural conditions, or other conditions, in compliance with applicable laws and permits. This permit shall be independent of any development permits associated with future use of the land, but may be processed concurrently with development permits.

(b) Permittees shall obtain all applicable permits to remove (or retain) facilities, structures, and other improvements, and reclaim the host site upon the intentional abandonment of operations of a permitted land use. Otherwise, the permittee shall obtain either County approval to defer abandonment or all applicable permits to remove facilities and reclaim host sites under the following circumstances:

(1) Any event designated in an existing County permit that would require consideration of abandonment; or

(2) The permitted land use has become idled.

(c) Long-term salvage operations, recycling facilities, or junkyards shall not be considered ancillary to permitted land uses. Long-term salvage operations shall require appropriate permits to operate as legal uses. "Long-term," for purposes of this procedure, shall constitute a period of two or more years. Permittees who desire to operate long-term salvage or recycling operations at an oil/gas site shall first obtain the appropriate permits to do so, and such permits shall be issued independent of the oil/gas operation."

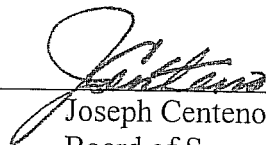
NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Pursuant to the provisions of Section 65356 of the Government Code, this Board adopts the foregoing Policy 13, including its statements of applicability and implementing procedures, to the Land Use Development Policies of the Land Use Element.

2. A copy of this Resolution shall be made available pursuant to Section 65357 of the Government Code.

PASSED, APPROVED, AND ADOPTED this 26 day of October, 2004, by the following vote:


AYES: Supervisor's Schwartz, Rose, Marshall, Gray and Centeno
NOES: None
ABSENT: None
ABSTENTIONS: None



Joseph Centeno, Chair
Board of Supervisors
County of Santa Barbara

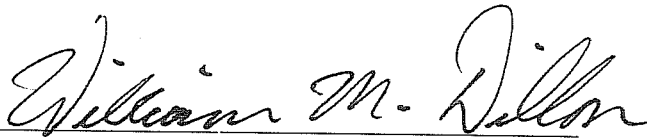
ATTEST:

MICHAEL F. BROWN
County Clerk of the Board

By 
Deputy Clerk of the Board

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By 
Deputy County Counsel