

CELERON/ALL AMERICAN

SOCIOECONOMICS: Operation

IMPACT: Increase in the local tax base of Hudspeth County, TX, will be greater than 10 percent.

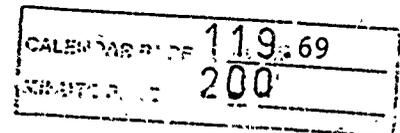
FINDING: a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

FACTS SUPPORTING FINDING:

The anticipated first-year project assessed valuations for each county traversed are compared with existing countywide tax bases in the EIR/EIS. Anticipated assessed valuations for new transmission line sections along the route are shown in Table 4-12 in the DEIR/EIS. Each county would benefit from the increased tax base. Tax revenues have not been estimated because of variability of tax rates from year to year. The most significant increase in the total tax base, attributed to the Celeron/All American line and facilities would occur in Hudspeth County, Texas, where total 1982 assessed valuation would increase by 13.5 percent. This is the only area which experiences a change in the local tax base greater than 10 percent which is considered a significant impact.

No mitigation is proposed. This is a positive impact.

ADDED: 1/30/85



CELERON/ALL AMERICAN

LAND USE AND RECREATION: Construction

IMPACT: Not consistent with Santa Barbara County Coastal Plan: -- Policy 6-17, crossing of Gaviota State Park

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County; California Department of Parks and Recreation).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Land Use Regulations and Plans - The siting and design of the pipelines would be consistent with adopted land use regulations and plans, with the following exceptions:

Santa Barbara County, Local Coastal Plan - the proposed project is not consistent with the following Coastal Plan policy. Policy 6-17 - pipeline alignment generally avoids known important recreation, habitat, and archaeological areas. The only possible exception would be after the pipeline enters Gaviota State Park, which is under the jurisdiction of the California Department of Parks and Recreation. The Celeron route goes through a low-use area of the park, is screened from most of the park uses, and may be consistent with this policy.

In many areas both the Celeron and Getty pipelines would parallel each other to form a 150-ft wide ROW corridor. Disturbance to land use in Gaviota State Park could be reduced if both lines were constructed in the same ROW. This would be consistent with existing county and Forest Service land use regulations. (See Mitigation 28)

ADDED 1/30/85

CALENDAR PAGE	119.70
MINUTE PAGE	201

CELERON/ALL AMERICAN

LAND USE AND RECREATION: Construction

IMPACT: Crossing a USFS Further Planning Areas (FPA) (for potential wilderness in Los Padres National Forest (LPNF), and KOFA National Wildlife Refuge (NWR).

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (USFS and BLM).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Los Padres National Forest: Celeron's ROW would cross the Horseshoe Springs Further Planning Area (FPA). Pipeline construction would result in significant adverse effects to this FPA because of reductions in its integrity, natural appearance, and opportunities for solitude. The proposed Getty route or the Santa Maria Canyon Alternative route would avoid this impact. The USFS has jurisdiction over the pipeline route through the LPNF.

Pipeline construction would affect 25 miles of the Kofa NWR. This represents less than a 1 percent disturbance to the 660,000-acre refuge. The greatest impacts to recreationists using the commonly travelled road along the existing pipeline would last about 16 days (assuming a 1.5-mile per day construction rate, with additional time needed for ROW preparation, cleanup, and restoration). This road has a large amount of recreation use, compared to other parts of the refuge, because of the easy 2-wheel-drive access it provides. Long-term impacts to recreation, including aesthetic impacts, are expected to be minimal because the pipeline would be buried and would parallel an existing gas pipeline and 50-kv transmission line.

ADDED 1/30/85

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SERIALIZED	FILED
JAN 30 1985	
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119.71	
202	

The existing El Paso pipeline ROW forms the northern border of three BLM wilderness study areas east of the refuge. As proposed the All American Pipeline would be to the north of the existing ROW and would be located outside the WSA's. Construction and operation would not result in adverse effects on the wilderness character of the WSAs because the area's naturalness, solitude, or unique features would be basically unchanged. However, BLM management policy in regard to WSA's does not permit any new ROW's. Therefore, crossing the KOFA NWR is an unavoidable significant impact. The Brenda Alternative would avoid this impact.

ADDED 1/30/85

CALENDAR PAGE	119.72
MINUTE PAGE	203

CELERON/ALL AMERICAN

LAND USE AND RECREATION: Construction

IMPACT: Alteration of recreation resources within portions of Gaviota State Park and La Brea Canyon due to ROW disturbance.

- FINDING:
- a) Changes or alterations have been required on, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County; USFS; California Department of Parks and Recreation).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Construction of the pipeline involves clearing a 100 foot ROW with heavy earth-moving equipment. Above-ground obstacles such as trees, brush and boulders are removed, and any stumps or roots in the ditch line are taken out. After clearing, the ROW is graded and leveled as necessary for vehicle and equipment operation.

La Brea Canyon is a moderately used recreation activity corridor with four Forest Service campgrounds. Three of the campgrounds would be directly affected by construction, an unavoidable significant impact. Even after these campgrounds are restored, the clearing of small oak and sycamore trees would result in a moderate visual change in the area. This would somewhat reduce the Canyon's recreational appeal and use in the long-term. Removal of a portion of the isolated stand of Coulter Pine near Miranda Pine Campground would be an unavoidable significant impact on the aesthetic quality of the campground.

Santa Barbara County has jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota State Park; and the USFS has jurisdiction over the route through the Los Padres NF.

ADDED 1/30/85

CALENDAR PAGE	119.73
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Several mitigation measures are suggested which the appropriate agency can require to reduce the impact of ROW construction.

Construction should avoid, to the maximum extent possible, disturbance to the stand of Coulter Pine near Miranda Pine Campground. The construction ROW should be reduced to 50-feet wide in this area and no staging areas should be located here. Large trees should not be removed or damaged without prior authorization by the USFS. This would reduce the impacts by 50 percent or more.

Within the section from Las Flores to Emidio, the Celeron and Getty pipelines should be constructed within the same ROW as designated by the Authorized Officer. This could be accomplished by phasing of construction, and laying one pipe as close as practical from the ROW edge and then later placing the next pipeline as close as practicable from the other side of the ROW, resulting in a minimum distance between pipe centers. (See Mitigation 28) This would reduce all impacts by 50 percent.

ADDED 1/30/85

CALENDAR PAGE	119.74
MINUTE PAGE	205

CELERON/ALL AMERICAN

LAND USE AND RECREATION: Construction

IMPACT: Inconsistent with Riverside County General Plan utility corridors.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Riverside County).

FACTS SUPPORTING FINDING:

The proposed route is inconsistent with the utility corridors identified in the Riverside County Comprehensive General Plan. Present utility corridors are defined in an "advisory" context and can be administratively modified by the Planning Department without requiring formal amendment. No action would be taken until BLM modified the utility corridors of the California Desert Conservation Plan and All American formally requests a modification to the Riverside County Comprehensive General Plan.

ADDED 1/30/85

CALENDAR NO.	119.75
PROJECT NO.	206

CELERON/ALL AMERICAN

LAND USE AND RECREATION: Construction

IMPACT: ROW would provide access to sensitive areas previously inaccessible.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; BLM; USFS).

FACTS SUPPORTING FINDING:

Recreation demand generated by the construction work force is not expected to have significant adverse impacts on regional recreation resources along the route because the 335-man crew for each spread would be a very small percentage of the recreation users in any region.

The ROW would provide access to some areas not now accessible by motor vehicle. This new access could, however, result in the proliferation of spur roads and impacts to fragile resources (See Terrestrial Biology). New spur roads would be in conflict with BLM recreation management policy that seeks to restrict Off-Road Vehicle (ORV) use to the adequate number of existing roads and trails. This is considered a significant adverse impact, unless access is controlled or limited.

After construction has been completed, motorized vehicle access to public lands crossed by the ROW would be restricted on federal lands (as requested by the appropriate agency) by gates or other barriers. (See Mitigation 25) This measure would enhance revegetation efforts and limit the proliferation of spur roads in sensitive resource areas. Agency regulations limit development of new roads in these areas.

ADDED 1/30/85

SALES TAX	119.76
TOTAL	207

CELERON/ALL AMERICAN

LAND USE AND RECREATION: Construction

IMPACTS: Pipeline would cross Palen-McCoy WSA in California.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (BLM).

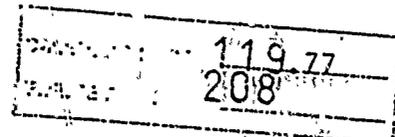
FACTS SUPPORTING FINDING:

The BLM California Desert Conservation Area Plan lists approved utility corridors for pipelines and electric transmission lines. Even though the All American pipeline route through the desert parallels existing highway, railroad, or pipeline ROW's, a large segment of the proposed route is not within a designated BLM utility corridor and is inconsistent with the Plan provisions. Project proponents have submitted ROW applications to the BLM and this EIR/EIS will serve to amend the Plan. The Palen-McCoy WSA would be crossed by about 8 miles of the proposed route. This location will have a significant adverse impact on the WSA.

In order to mitigate this impact, the All American Pipeline ROW should be moved from the west side to the east side of the dirt road that forms the Palen to McCoy WSA boundary from milepost 260 to milepost 270. (See Mitigation 27)

This measure would remove the ROW from within the boundary of the WSA and ensure compliance with WSA Interim Management Policy.

APPROVED 1/30/85



CELERON/ALL AMERICAN

LAND USE AND RECREATION: Operation

IMPACT: Major spills into Coastal streams could affect beaches and water-oriented recreational opportunities.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (USFS; Santa Barbara County; CDFG).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

The proposed pipeline from Las Flores to Gaviota Pass parallels a particularly scenic portion of the Santa Barbara coastline. Two state parks, Refugio and Gaviota, are located here. Although the probability of an oil spill (0.0003-0.0023 spills/year/mile of pipeline) indicates a low risk, a major oil spill into coastal streams would adversely affect the beaches and other water-oriented recreational opportunities in this area. This would be an unavoidable significant impact.

A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup.

ADDED 1/30/85

CALENDAR PAGE	119.78
MINUTE PAGE	209

CELERON/ALL AMERICAN.

CULTURAL RESOURCES: Construction

IMPACT: Potential disturbance to at least 8 sites eligible for listing on the National Register of Historic Places.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

The criteria for evaluating cultural resources on Federal lands and lands impacted by federally funded or licensed projects are the eligibility criteria of the National Register of Historic Places. The criteria apply to resources (historic and prehistoric sites) significant at the national, regional, state, and local levels. Adverse effects on resources that produce direct or indirect impacts are considered for sites listed on the National Register of Historic Places or which meet the criteria of eligibility.

For purposes of the California Environmental Quality Act (CEQA), the criteria for evaluating cultural resources on state and private lands in California are significance criteria listed in Appendix K of the CEQA Guidelines. Effects which cause damage to cultural resources are considered for sites which meet these criteria.

Federal agencies cannot authorize federally licensed projects without prior compliance with Section 105 of the National Historic Preservation Act. This involves consultation with the State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation to determine the existence and significance of cultural resources sites and the development of procedures to mitigate adverse effects.

ADDED 1/30/85

CALIFORNIA PAGE	119.79
	210

Cultural Resources impacted by the Celeron/All American proposal include archaeological and historical sites that are located in areas which would be directly or indirectly affected by project construction and facilities operation. Sites located within the pipeline ROW would be exposed to potential direct and indirect impacts while sites located outside the ROW would be exposed to potential indirect impacts only.

Direct impacts would result from actual surface disturbance of a site's spatial configurations or stratigraphy during a facility's construction or use. In this case construction and maintenance activities would disturb or destroy cultural resources, including clearing and grading, ditching, hauling and stringing, pipe placement, and backfilling. Disturbances by project-related vehicular activity would also occur within the project ROW and along access roads.

Indirect impacts refer to the increased potential for site disturbances due to a general intensification of land use activities in the area surrounding cultural sites. The construction of improvement roads for project implementation purposes would make previously recorded sites in the surrounding project area more accessible. Many cultural resources have undergone varying amounts of previous disturbance due to non-professional excavation and the search for collectable items.

No ethnographic sites along the pipeline ROWs have been identified to date by any Native American groups; however, impacts to unknown sites could still occur, and potential impacts will be evaluated as sites are identified. Potentially significant historic and archaeological sites which have been identified for each segment of the pipeline routes are described in the following paragraphs.

Las Flores to Emidio - Thirteen cultural resource locations have been identified on the proposed Celeron route ROW. These sites include five campsites, three villages (at least one with a burial area), one bedrock mortar, two rock shelters, and two historic sites. No sites along this segment are listed on the National Register; however, two villages, one bedrock mortar site, and one historic site are considered eligible for inclusion; other sites require additional evaluation procedures. Thus, a significant impact to cultural resources could occur from pipeline construction.

Emidio to Blythe - Ten known sites identified are located within the ROW. Two sites within the pipeline route are considered eligible for the National Register and others require additional evaluation procedures. Thus, an unavoidable significant impact to these sites could occur from pipeline construction.

ADDED 1/30/85

CALCULATED COST	119.80
CONSTRUCTION COST	211

Blythe to McCamey - Thirty-four known sites identified for Arizona are located directly within the pipeline ROW. Although some sites have been evaluated others require additional evaluation procedures. One site within the ROW is considered to be eligible for the National Register. Thus, a significant impact to cultural resources could occur from pipeline construction.

Five cultural resource locations identified for the New Mexico segment of the pipeline are located directly within the pipeline ROW. None of the five sites have been determined to be eligible for nomination to the National Register at this time, although further survey and evaluation procedures are necessary. Significant impacts could occur.

In Texas, 5 known cultural resource sites are located directly within the pipeline ROW. Only one site along the pipeline ROW (Huero Tanks State Park) is located within a National Register District. Five sites located directly within the proposed ROW are to be evaluated for eligibility. Currently, no sites on the route are on the National register.

Summary - At least 8 cultural resource sites along the Celeron/All American ROW are considered to be eligible for listing on the National Register. In all states, further survey and evaluation procedures will be conducted prior to construction to determine National Register eligibility and the nature of site specific, applicable mitigation measures.

In California, Santa Barbara, San Luis Obispo, Kern, San Bernardino and Riverside counties have jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota State Park; the USFS has jurisdiction over the route through the LPNF; and BLM administers public (Federal) lands in the deserts.

Mitigation of adverse impacts to cultural resources should occur in the following manner:

Prior to construction an intensive (100%) cultural resource survey should be conducted on all affected Federal land surfaces that have not previously been surveyed. Survey on non-Federal lands should be conducted as specified by the Authorized Officer after consultation with the State Historic Preservation Officer (SHPO) in all states. During the survey, information should be gathered on all newly discovered and previously recorded archaeological sites to determine their potential eligibility to the National Register of Historic Places. Limited testing of some sites may be necessary in order to determine their eligibility. Sites located on non-Federal lands in California should be evaluated using criteria defined in CEQA Guidelines Appendix K. Following the survey, an inventory report should be prepared and submitted to the Authorized Officer for review and comment. The report

ADDED 1/30/85

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MINUTE PAGE	212

should contain the results of the inventory, and all sites should be evaluated for potential eligibility to the National Register. Justifications should be given for the rationale. The report should include a proposed mitigation plan for all sites that are considered to be potentially eligible for inclusion on the National Register. The mitigation plan may include avoidance of sites, data collection, site-specific control of access and construction, monitoring recommendations, and salvage excavation. (See Mitigation 30)

Based on the above mitigation plan, the Authorized Officer should submit a treatment plan to the SHPO in each state and to the Advisory Council on Historic Preservation. Following the consultation period, the treatment plan should be implemented. All field work should be completed before construction can begin in a given area. Monitoring should be implemented during construction where required by the treatment plan.

Any sites located during construction or as the result of monitoring should be evaluated and a treatment plan should be developed as needed.

Contact should be maintained with appropriate Native American groups to determine the nature and extent of concerns regarding specific cultural resources. Native Americans should participate in data recovery consistent with federal agency requirements and where appropriate, with tribal policies.

ADDED 1/30/85

RECORDED	119.82
INDEXED	213

CELERON/ALL AMERICAN

VISUAL RESOURCES: Construction and Operation

IMPACT: Significant visual changes at 6 pump station sites and along the pipeline ROW in Los Padres National Forest (LPNF).

- FINDING:
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 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

The pipeline ROW would generally not be visually evident to people from nearby highways, roadside rest areas, parks, or recreation areas. Examination of various existing underground pipelines, which the Celeron/All American proposal would parallel, indicated that it would not be visually evident from nearby travel routes or use areas.

One area of exception to the above generalization is where the pipeline would cross the LPNF in Santa Barbara County. Here the ROW clearing would be visually evident from nearby roads and campgrounds. Clearing of mature live oaks and sycamores in La Brea Canyon, plus ROW clearing through uniform brushfields on the Sierra Madre Mountains, would create significant visual impacts. Elsewhere, as the pipelines would cross the LPNF in existing fire breaks, there would not be significant changes from existing to future visual conditions. Both existing and future visual conditions would generally not meet Forest Service visual quality objectives for the affected areas on the LPNF.

Except for those areas in the LPNF and a short segment near Tejon California, the Celeron/All American pipeline would traverse mainly flat agricultural or desert lands. Where the pipeline traverses gentle slopes (less than 5 percent slope), observation of the pipeline scar would be limited laterally

ADDED 1/30/85

CALL NUMBER	119.83
PROJECT NUMBER	214

from 0.25 to 0.5 mile. Traversal of steeper slopes (over 5 percent slope) would expose the pipeline scar to potential observation from the surrounding landscape. Portions of Celeron/All American's proposed project involving above ground facilities, such as pump stations and power line extensions would have greater exposure to observation from the surrounding landscape than the buried pipeline. Based on observations along Celeron/All American's proposed route, impacts from ROW clearing are not expected to be significant.

The following mitigations should be implemented by the USFS on the LPNF; BLM has jurisdiction over public (Federal) lands.

The Gaviota pump station, Sisquoc pump station, Essex pump station and tank farm, and Tom Mix pump station should be screened with native shrubs and trees and/or naturalized masses of evergreen shrubs and trees as is appropriate for location and climatic conditions. (See Mitigation 3)

The placement of trees and shrubs between the facility and existing sensitive receptors should eliminate the intrusive character of the facility.

In the pipeline segments on the LPNF, the Applicants should utilize a 50-ft wide construction corridor, protect existing large diameter trees, feather the edges of the cleared ROW, and reseed cleared areas as determined by the Authorized Officer. (See Mitigation 32)

The smaller construction corridor would provide selective protection for large trees in forested areas. Feathering the edges of the clearing would soften and partially disguise the visual impact resulting from cutting a path through the trees and brush. The effectiveness of this measure will depend on the pre-project visual condition of the specific site: areas previously characterized as "untouched landscape" (EVC I) or "unnoticed alternations" (EVC II) would be deteriorated to the category of "minor visual disturbance" (EVC III). Areas of existing visual disturbance ranging from minor to drastic can all be restored to "major visual disturbance" (EVC V) by scalloping edges of vegetative clearings.

The La Paz heating/pumping station should be moved 1,500 feet to the east behind topographic screening. (See Mitigation 33)

Relocation of the proposed facility will allow for natural topographic screening thereby improving the future visual condition from the "visual disturbance" (EVC IV) to "unnoticed alterations" (EVC II).

There will be unavoidable significant impacts remaining due to ROW construction.

ADDED 1/30/85

CALENDAR PAGE	119.84
INVENTORY PAGE	215

CELERON/ALL AMERICAN.

- NOISE: Construction
- IMPACT: Construction noise would exceed 60 dBA at residences along the pipeline ROW.
- FINDING: a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Noise effects from construction of the Celeron/All American pipeline would be a function of the noise generated by construction equipment, the location and sensitivity of nearby land uses, and the timing and duration of the noise generating activities. Construction activities would occur throughout the length of the pipeline corridor.

The Las Flores to Emidio corridor segment contains numerous land uses that would be classified as noise-sensitive receptors including the Vista del Mar School at Gaviota; state parks; residential subdivisions, notably at Buellton; and numerous individual residences scattered along and sometimes adjacent to the proposed ROW corridor. The closest of these to the construction activity would be several residences that are located within 100 to 500 feet of the proposed pipeline, notably at Buellton.

Applying the construction noise generation profile to the proposed corridor indicates that the nearest homes would be subject to pipeline construction noise levels in excess of 75 dBA. More than 100 homes between Las Flores and Emidio could be subject to construction noise levels of 60 dBA or greater, depending on detailed site conditions. This would be considered an unavoidable significant impact.

The Emidio to Blythe corridor segment contains numerous noise-sensitive land uses. Most are residences clustered in small communities along the corridor, including the towns of North Edwards, Desert Lake, Boron, Kramer Junction, and the City of Barstow. In addition, the proposed corridor passes near the California State Women's Prison and several unincorporated residential subdivisions and scattered individual residences.

ADDED 1/30/85

DATE	119.85
NO.	216

Application of the construction noise generation profile indicates that numerous residences, mostly in the communities listed above, would be exposed to project-related construction noise levels of 60 to 65 dBA but that only a few would be subject to noise levels exceeding 65 dBA. This would be an unavoidable significant impact.

The Blythe to McCamey corridor segment contains relatively few noise sensitive receptors for its more than 700-mile length. The key considerations are residential communities both incorporated and unincorporated. There are very few scattered individual residences near this segment of the corridor. The full list of identified sensitive receptors is included in Table 3-26 of the DEIR/EIS. The most notable among them are residential developments in Pinal County, Arizona; the communities of Lordsburg and Deming, New Mexico; and the communities of Wink, Monahans, Crane, and McCamey, Texas, all of which have residential land uses very near the proposed pipeline corridor.

Application of the construction noise generation profile indicates that several residences are near enough to the proposed corridor that project related construction noise could exceed 75 dBA during peak periods. Numerous other residences would fall inside the 60 dBA construction noise contour. This would be a significant impact. The Maricopa Indian Reservation would be the closest reservation to the proposed pipeline route (approximately 1 mile) and would not be subjected to significant noise levels because the 60 dBA noise contour extends only about 2,500 feet from the ROW.

Because of the short duration of constructed impacts in any one area (2 weeks or less), limiting construction to daytime hours (as described in the Project Description), and the low probability of accomplishing effective mitigation of high noise levels associated with construction activities, mitigation beyond the standard requirements for use of equipment mufflers and similar OSHA requirements is not considered to be warranted.

ADDED 1/30/85

CALENDAR PAGE	119.86
MINUTE PAGE	217

CELERON/ALL AMERICAN

NOISE: Operation

IMPACT: Operation noise from the Gaviota pump station would exceed 60 dBA at the Vista del Mar Union School.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County).

FACTS SUPPORTING FINDING:

Noise effects from operation of the proposed pipeline would be geographically isolated to the vicinity of the pump and heater stations.. Noise emissions for pump stations were modeled using worst-case terrain assumptions of flat terrain with no barrier effects and no equipment directivity effects. The results for the Las Flores to Emidio corridor segment indicate the only sensitive receptors that could be within a 60 dBA or greater pump station noise contour (and thus significantly impacted) would be the Vista del Mar School near the Gaviota station. Actual noise impact levels would depend on the placement of the pump station on the site and other site design features. A more detailed analysis of the composite noise effects of the proposed pipeline and other petroleum development facilities at Gaviota is included in the Getty Gaviota Consolidated Coastal Facility Draft EIR. This analysis indicates that, although the noise levels at the school would be approximately 73 dBA, the increment added by the petroleum development activity would be a barely discernable 3 dBA. Most of the noise is already existing due to traffic on US 101. Although the incremental increase in noise caused by the pump station would be small and barely noticeable, it would be considered significant because the ambient conditions already exceed the 60 dBA significance criterion.

The Gaviota pump station(s) should be shielded from Vista del Mar Union School by a noise barrier, such as a berm or structural enclosure. (See Mitigation 34)

ADDED 1/30/85

CALENDAR PAGE	119.87
MINUTE DE	218

The barrier should be designed and built to reduce project operation related noise below the 60 dBA significance threshold of the school.

This measure should apply to any pump station built by Caleron/All American within 1,500 feet of the Vista del Mar Union School. Santa Barbara has jurisdiction over private lands along the route.

ADDED 1/20/85.

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UNIFORM PRICE	119.88
GRATE FEE	219

CELERON/ALL AMERICAN

TERRESTRIAL BIOLOGY: Construction

IMPACT: Loss of sensitive plant communities or individuals of sensitive plant species.

- FINDING:
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 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Construction of the pipeline involves clearing a 100 foot ROW with heavy earth-moving equipment. Above-ground obstacles such as trees, brush and boulders are removed, and any stumps or roots in the ditch line are taken out. After clearing, the ROW is graded and leveled as necessary for vehicle and equipment operation. These construction activities would generally remove or kill all vegetation in the 100 foot ROW corridor. Furthermore, adjacent vegetation may be disturbed by cut-and-fill excavations, disposal of refuse vegetation and rocky soil, and vehicle movement off the ROW.

Where the pipeline route crosses through sensitive and ecologically valuable communities such as riparian vegetation, oak woodlands, Joshua tree woodlands, ironwood washes and dune communities, or removes individuals of sensitive plant species, such as live oaks, the Barstow woolly sunflower, Comanche layia, Calico monkey flower or Crucifixion thorn, or any species of commercial cactus, ROW construction would cause a significant impact.

Because of the linear nature of the pipeline, many government agencies have land use responsibility and jurisdiction over the project and, thus, can require mitigation

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measures as part of a ROW or construction permit or grant. In California, Santa Barbara, San Luis Obispo, Kern, San Bernardino and Riverside counties have jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota Stated Park; the USFS has jurisdiction over the route through the Los Padres NF; and BLM administers public (Federal) lands in the deserts. The USFWS may require stipulations to protect certain plant communities, on all Federal lands and the California Department of Fish and Game has permit authority over all stream crossings. Additionally, the USFWS administers certain protections for Federal threatened and endangered species, and local state fish and game departments are empowered to enforce certain protections for state-listed or otherwise state protected species.

Several mitigation measures are suggested in the EIR which the appropriate agency can require to reduce the impact of ROW construction on sensitive plant communities or species.

Construction should avoid, to the maximum extent possible, disturbance to sensitive and valuable plant communities, including riparian areas, oak woodlands, Coulter pine, live oaks, Joshua tree woodlands, desert dunes, and ironwood washes. Locations to be avoided should be determined by the applicable land management or regulatory agency. The construction ROW should be reduced to 50-foot wide in sensitive communities, and no staging areas should be located in these areas. Trees over six inches in diameter should not be removed or damaged without authorization by the appropriate management agency. This would reduce the impacts on sensitive plant communities by 50 percent or more.

Site restoration and revegetation plans should be required by the local land use authority prior to construction for all affected sensitive plant communities. The plans should be prepared and carried out in consultation with local State Fish and Game and/or USFWS personnel. Rehabilitation activities should restore the sites to their natural condition as much as feasible. The dominant native plant species should be re-established to original densities by natural succession if possible, by seed, seedlings, or cuttings. Planting non-native species should be avoided.

Revegetation of trees and many shrubs by artificial means or natural succession is not likely to be successful in grazed lands. In plant communities dominated by large, older trees, such as oak woodlands, restoration is not possible by any means for 70 years or more. Due to these factors there would be unavoidable significant adverse impacts due to construction in remaining riparian and oak woodlands.

The pipeline ROW should be required to use existing ROW's or roads, such as the La Brea Canyon Road or the El Paso

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Natural Gas ROW, to the extent possible. Vehicle operation off the ROW by construction workers should be prohibited except where specified by the land manager. These measures, would reduce impacts to sensitive plant communities and species by minimizing total area disturbed.

Using the Santa Maria Canyon Alternative would avoid the significant impacts on riparian woodlands in La Brea Canyon, but would increase the amount of oak woodland. Loss of oak woodlands would remain as an unavoidable significant impact.

At the Muleshoe Ranch Preserve in Arizona, revegetation should be in accordance with plans determined by the Nature Conservancy, BLM, and Forest Service. The ROW should utilize the existing El Paso ROW to the extent possible, and large sycamores in Bass Canyon should not be removed. These measures will decrease impacts on the sensitive riparian communities in the Preserve.

For California State-listed plant species, site-specific field inventories should be required prior to construction. This measure should be consistent with the intent and general provisions of Assembly Bill No. 3309, the California Endangered Species Act which will become effective January 1, 1985. A qualified biologist should survey the Applicant's ROW in areas suspected of having threatened and endangered state-listed species. Potential areas where these species may occur are identified in Appendix B of the DEIR/EIS. The California Fish and Game Department should be consulted concerning appropriate methods for survey as well as appropriate mitigation measures if these species are found on the ROW.

Commercial cactus are found along the ROW in Arizona. Cactus should be salvaged where practical, and their loss minimized under the authority and direction of the Arizona Department of Agriculture and Horticulture.

Other sensitive species may also occur on the ROW. These should also be protected by conducting a botanical survey of the ROW, and then modifying the project, if possible, to minimize impacts on any sensitive species present.

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CELERON/ALL AMERICAN

TERRESTRIAL BIOLOGY: Construction

IMPACT: Loss of sensitive wildlife habitat and loss or disturbance of sensitive wildlife species.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Construction of the pipeline consists of a series of operations, including preparing the ROW, building and laying the pipe and cleaning up and restoring the site. The construction activities will require many machines, vehicles, and personnel and will be accompanied by noise, dust, and general human disturbance. Occasional blasting may be necessary as well.

Preparing the ROW involves clearing a 100 foot corridor with heavy earth-moving equipment followed by grading and leveling. These activities would generally remove all wildlife habitat, destroy dens and burrows, and could kill most small mammals, amphibians, and reptiles with limited mobility, in the ROW corridor.

Construction in general would cause displacement of large mammals, birds, and some reptiles from the area for the duration of the construction. This would be significant if there are impacts to sensitive species such as disruption of raptor nesting or California condor foraging, or disturbance of bighorn sheep lambing or migration. Additionally, the ROW and pipe ditch may temporarily be a barrier to normal movement patterns and may separate animals from habitat requirements such as watering holes. Increased use of vehicles and human

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access into previously remote areas could increase the risk of wildlife harassment and illegal shooting, a significant impact if sensitive species are disturbed or killed.

Loss of wildlife habitat due to ROW construction would be significant in the desert, where revegetation could take up to 70 years; in sensitive and valuable habitat types such as riparian systems, and in habitats supporting rare, threatened, endangered or other sensitive species, such as the Blunt-nosed leopard lizard, San Joaquin Kit fox (both federally-listed endangered species) and the desert tortoise or desert bighorn sheep (USFS and BLM sensitive species). Loss of individual animals of sensitive species is also considered a significant impact. (See Appendix B of DEIR/EIS for list of special concern species on route.)

Because of the linear nature of the pipeline, many agencies have land use responsibility and jurisdiction over the project, and thus can require mitigation measures as part of a ROW or construction permit or grant. In California, Santa Barbara, San Luis Obispo, Kern, San Bernardino, and Riverside counties have jurisdiction over private lands along the pipeline route; the California Department of Parks and Recreation administers Gaviota State Park; and the USFS has jurisdiction over the route through the Los Padres National Forest and BLM administers public (Federal) lands in the desert inside and outside of California. The USFWS may require certain stipulation on all Federal lands to protect wildlife resources, and the California Department of Fish and Game has permit authority over all stream crossings in California. Additionally, the USFWS administers certain protections for Federal threatened and endangered species, and local state fish and game departments are empowered to enforce certain protections for state-listed or otherwise state protected species.

The pipeline route crosses through several areas which possess many unique and valuable ecological resources: The La Brea Canyon area, in the Los Padres National Forest, managed by USFS; the KOFA National Wildlife Refuge, managed by USFWS; Muleshoe Ranch Preserve, managed by the Arizona Nature Conservancy in cooperation with USFS; and the Gypsum Dunes Preserve, managed by Texas Nature Conservancy.

The EIR/EIS describes many feasible mitigation measures, including alternative routes, which would serve to avoid or substantially lessen the significant environmental impacts of project construction on wildlife resources.

The following discussion presents mitigation measures of general applicability first, followed by those specific to a particular sensitive species or location. Route alternatives are then discussed in the context of mitigating terrestrial wildlife impacts.

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GENERAL MITIGATION MEASURES

Construction should avoid, to the maximum extent possible, disturbance to all sensitive wildlife habitats, such as riparian communities, oak woodlands, and habitats for particular sensitive animal species. Locations to be avoided would be determined by the applicable land manager or regulatory agency in consultation with the appropriate wildlife management authority. When routing around such habitats is not feasible, the construction ROW should be reduced to 50-foot wide in sensitive habitats, and staging areas should not be located in these areas. Large trees (over 6 inches in diameter for oaks and riparian species) should not be removed or damaged without prior authorization by the appropriate management agency. This would reduce the impacts on sensitive habitats by 50 percent or more.

Site restoration and revegetation plans should be required by the local land use authority prior to construction for sensitive habitat areas. The plans should be prepared and carried out in consultation with local state fish and game and USFWS personnel. Rehabilitation activities should restore the sites to their natural condition as much as feasible, by using methods such as:

- Re-establishing the native dominant plant species to original densities, by natural succession if possible, or by seed, seedlings or cuttings.

- When planting non-native species is necessary, using only those naturalized to the area and which are beneficial for wildlife and/or erosion control.

- Using natural materials and minimal construction when possible for bank protection and slope restoration.

Revegetation by artificial means or natural succession is not likely to be successful in grazed lands or in deserts. In habitats dominated by large, older trees, restoration is not possible by any means for 70 years or more. Due to these factors, there would be significant unavoidable adverse impacts from Celoron/All American pipeline construction on oak woodlands, riparian areas, and desert tortoise habitat.

During construction in creosote scrub and alkali scrub areas of the desert, ROW clearing should be limited to trimming or crushing whenever possible. This would limit the amount of shrub vegetation disturbed and reduce erosion. By not disturbing the root system, many crushed or clipped shrubs will resprout and revegetate the ROW more quickly. In all desert areas, some of the cleared or clipped vegetation should be piled in small thickets off the ROW (where acceptable to the landowner or land manager) to provide cover for displaced

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animals. This would provide cover for displaced small mammals and reptiles, especially small desert tortoises, and will decrease heat stress and minimize exposure to predators. These measures would reduce the loss of and speed the re-establishment of desert wildlife habitat.

Vehicle operation off the ROW by construction workers should be prohibited except where specified by the landowner or land management agency. Limiting vehicle use off the ROW will minimize the risk of impacting wildlife habitat or sensitive animal species. This would be especially important in desert bighorn sheep range.

The pipeline ROW should be required to use or follow existing ROWs or roads, such as the La Brea Canyon Road, Highway 166, or the El Paso Natural Gas ROW, to the extent possible. This would help minimize the amount of wildlife habitat lost and the number of individual animals disturbed or killed.

During construction, the open pipeline trench should be limited to 0.5 mile in areas where the pipeline could limit wildlife access to water, such as in La Brea Canyon in California, and Hot Springs Creek in Arizona. Skip sections or temporary bridges across the pipeline trench should also be used if more than 0.5 mile of trench must remain open for an extended period. Backfilling of the trench, especially at skip sections, should be a gentle grade to allow escape of animals from the trench. This would minimize impacts caused by water stress and disruption of movement patterns. Not all animals are accustomed to crossing skip sections; however, it will provide an opportunity for wildlife (like deer and coyotes) accustomed to human presence to cross the pipeline trench.

Development of additional water sources should also be considered as a partial compensation for loss or disturbance of sensitive wildlife habitat.

For California state-listed animal species, site-specific field inventories should be required prior to construction. This should be consistent with the intent and general provisions of Assembly Bill No. 3309, the California Endangered Species Act which will become effective January 1, 1985. A qualified biologist should survey the ROWs in areas suspected of having threatened and endangered state-listed species. Potential areas where these species may occur are identified in Appendix B of the DEIR/EIS. The California Fish and Game Department should be consulted concerning appropriate methods for survey as well as appropriate mitigation measures if these species are found on the ROW. This measure would eliminate most significant impacts to state-listed species. Loss of individuals or their habitat which occurs as a result of construction would be an unavoidable significant adverse impact.

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Federal, state, and county laws and regulations pertaining to sensitive vegetation and wildlife (e.g., T & E species, game species) should be posted in conspicuous places at the job site and included in pipeline contractor's contract. The Applicants should provide basic educational materials concerning wildlife laws and regulations as well as the required mitigation measures designed to minimize impacts. Posted laws and regulations and educating field crews on the intent of mitigation measures will at least eliminate the violator's excuse for ignorance of the law or ROW grant provisions.

SPECIFIC MITIGATION MEASURES

Blunt-nosed Leopard Lizard

In order to minimize the effects of construction of the proposed pipeline on the Blunt-nosed leopard lizard and its habitat, the following measures should be required and enforced by the USFWS, in conjunction with CDFG:

Blunt-nosed leopard lizard habitat in the Cuyama and San Joaquin Valleys should be evaluated prior to construction. Where suitable habitat occurs, attempts to relocate the pipeline (primarily to agricultural lands) should be considered. In habitat that must be affected, the construction disturbance on the ROW should be limited to 50 feet or less. The ROW should be revegetated with native species to encourage reestablishment of habitat and to discourage weed invasion. In addition, for the route in T11N, AR24W, Sections 18, 7, 8 and 9 (about 3.2 miles of blunt-nosed leopard lizard habitat), no ORV use should be allowed off the ROW during construction. This will minimize road kills and destruction of habitat. Dumping of trash or waste oils should not occur in sandy washes or in other suitable lizard habitats.

Avoiding leopard lizard habitat will be the most effective measure of ensuring that these animals are not affected. Where construction must occur in their habitat, some lizards will still be impacted by vehicles and trenching equipment; however, the population may be able to survive the loss of a few individuals if the habitat is restored and land use practices on the ROW do not change.

Minimizing the construction ROW width will minimize loss of blunt-nosed leopard lizard habitat by 50 percent. Loss of some habitat and some individuals of the blunt-nosed leopard lizard would remain as a unavoidable significant adverse impact.

San Joaquin Kit Fox

In order to minimize the effects of construction of the proposed pipeline on the San Joaquin Kit Fox and its habitat,

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the following measures should be required and enforced by the USFWS in conjunction with CDFG:

All potential San Joaquin kit fox habitat on the proposed route should be evaluated prior to construction. Where suitable habitat occurs, attempts to relocate the pipeline (primarily to agricultural lands) will be considered. In habitat that must be affected, the construction disturbance on the ROW will be limited to 50 feet or less. If kit fox dens are found in the ROW, the pipeline ROW should be altered 100 feet to miss dens. The ROW should be revegetated with native species to encourage reestablishment of habitat. In addition, for the route in T10N, R24W, Sections 9, 4, 3, and 34, and T11N, R24W, Sections 27, 26, 23, 24, 13, 18, 7, 8, and 9 (about 10 miles off San Joaquin kit fox habitat), no ORV use should be allowed off the ROW during construction, and where the ROW crosses existing roads, locked gates should be erected to discourage ORV use after construction.

These measures should eliminate the adverse impacts of kit fox individuals and substantially reduce the impacts on habitat. Loss of some kit fox habitat would remain as an unavoidable significant impact.

California Condor

In order to minimize the effects of construction of the proposed pipeline on the California Condor and its habitat, the following measures should be required and enforced by the USFWS in conjunction with CDFG:

The ROW will be routed to avoid crossing the Hudson Ranch to the degree possible in order to minimize future conflicts with any special management plans. The ROW will parallel Highway 166 and other existing roads to the degree possible in order to minimize disturbance in condor foraging areas. Blasting in the Cummings Mountain area should use small charges and debris blankets to muffle and minimize noise levels. No guns should be allowed on the construction spread in condor essential habitat. This measure can be added to pipeline contractor contracts by the applicant. The applicant will review site specific revegetation plans for the Hudson Ranch area with USFWS. If construction of either pipeline is delayed, the applicants should consult with USFWS concerning timing of construction to avoid potential conflicts with the condor captive-release program. These measures would eliminate or substantially reduce any adverse impacts due to construction on the California Condor.

Desert Tortoise

All construction across desert tortoise habitat should occur between October and March when tortoises are hibernating. A desert tortoise expert should be present during

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construction. Any active desert tortoise should be removed from the construction ROW ahead of construction equipment and moved to habitat within 100 yards of the capture site. Burrows within the ROW should be carefully opened using hand tools and hibernating tortoises removed. Injured tortoises should be turned over to the Department of Fish and Game. Adequate funds for costs involved in rehabilitating injured tortoises and returning them to their home sites (within 100 yards of capture site) should be paid by the applicant. Injuries and deaths of tortoises would be minimized if construction occurs when tortoises are inactive (i.e., only tortoises hibernating right on the ROW would be impacted). Removal of active tortoises from the construction area will ensure survival of these individuals. Burrows can be successfully constructed with hand tools and plywood. These measures would eliminate loss of individual tortoises. Previously discussed measures for desert habitat would substantially reduce impacts on tortoise habitat, but some loss would result, an unavoidable significant adverse impact.

Raptors

A competent wildlife biologist should survey all potential raptor nesting habitat within 0.5 mile of the pipeline prior to construction. Active and inactive nests should be identified. No construction should occur within 0.5 mile of active eyries during the nesting season (generally between March 15 to July 15, site-specific timing constraints may vary based on biologist recommendations). Construction could be permitted near inactive nests; however, no nest sites should be disturbed. Potential perch sites cleaned by ridge-top construction should also be identified by the Applicants. Where deemed necessary by local California Fish and Game biologists, raptor perch or roost trees should be avoided and/or artificial roosts should be constructed on ridgelines to mitigate losses of such trees resulting from clearing the ROW on ridgetops. This measure would prevent nest abandonment resulting from pipeline construction and minimize loss of perch sites. It would also help provide flexibility for construction scheduling.

Desert Bighorn Sheep

During construction the open pipeline trench should be limited to 0.5 mile in desert bighorn sheep areas. Skip sections or temporary bridges across the pipeline trench should also be used if more than 0.5 mile of trench must remain open for an extended period. Backfilling of the trench, especially at skip sections, should be a gentle grade to allow escape of animals from the trench. This should minimize impacts caused by disruption of movement patterns.

The Applicants should work with BLM and Arizona Game and Fish biologists in evaluating potential opportunities to

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minimize impacts to bighorn sheep, such as developing water sources in other parts of their habitat to encourage movement away from disturbed areas, and ORV access points. Developing new water resources away from development may reduce future man-bighorn conflicts especially in areas where ORV use is difficult to control.

No construction should be allowed in the Copper Bottom Pass area during January to March (lambing) and May to October (water stress) periods. Barriers to block unauthorized access along the ROW should be erected by the applicant in consultation with BLM. Any effects on bighorn sheep water resources should be mitigated through avoidance or construction of new wells, or collectors. This measure would reduce impacts on bighorn sheep in the Come Rock Mountains, but will not be completely effective because pipeline maintenance and access into this remote area would eventually disturb bighorns. The remaining impact to Bighorn sheep would be an unavoidable significant adverse effect.

In the Kofa NWR no pipeline construction should be allowed during bighorn use of the migratory corridors. Avoidance periods and formal restrictions would be determined by FWS. This would eliminate impacts related directly to disturbance of bighorn sheep due to pipeline construction activity.

Muleshoe Ranch Preserve

At the Muleshoe Ranch Preserve, construction should occur between August 30 and April 1. Revegetation should be in accordance with plans determined by the Nature Conservancy, BLM, and Forest Service. The ROW should utilize the existing El Paso ROW to the extent possible. Large sycamores in Bass Canyon should not be removed. Seasonal construction restrictions (i.e., no activity during the April to August nesting season) would prevent nest abandonment by nesting raptors resulting from construction activity. Reseeding with native vegetation and minimizing impacts to riparian communities would decrease impacts on wildlife and wildlife habitat.

ROUTE ALTERNATIVES

Santa Maria Canyon

The Santa Maria Canyon alternative would avoid impacts on riparian habitat in the La Brea Canyon and reduce chance of disturbing California Condors flying over the Sierra Madre Ridge. Santa Maria Canyon "A" could possibly cause impacts to sensitive raptors, prairie falcons and golden eagles. Santa Maria Canyon "B" would not have this impact on raptors. (See also following section on this alternative).

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Brenda Alternative

The Brenda Alternative would reduce substantially the construction impacts on desert tortoisos and desert bighorn sheep over the proposed route through the Dome Rock Mountains and Kofa National Wildlife Refuge. Some unavoidable adverse impacts would remain on these resources, although smaller than for the proposed project.

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CELERON/ALL AMERICAN

TERRESTRIAL BIOLOGY: Operation

IMPACT: Loss of sensitive wildlife habitat or individuals of sensitive plant and animal species due to pipeline operation.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM-USFWS; California Department of Fish and Game; California State Lands Commission).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Oil spills could kill vegetation and result in erosion and loss of wildlife habitat. Spills over 50 acres would be unlikely; the worst-case spill on the Celeron/All American route would release about 15,000 barrels and cover about 16 acres.

Terrestrial plant communities could be directly and indirectly affected by oil spills. Oil in the soil can reduce the availability of water to plants and cause plant mortality due to direct oil contact. Direct contact of oil with the plants can cause loss of foliage, reduced photosynthesis, reduced nutrient levels, reduced flower and seed production, and toxic effects on cells. Indirect impacts can result from clean-up efforts such as burning, clearing of oiled vegetation, or removal of topsoil. Plant regeneration is best on well drained soils. Impacts to trees and shrubs can be less severe if root systems are oil-free and well aerated. Impacts of oil when deciduous plants are in leaf are generally more severe than when they are dormant.

Direct impacts to terrestrial wildlife would generally be minimal because of the small size of the affected area and the mobility of these species. Indirect impacts to habitat could

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be more serious, although not usually significant on a regional basis. The timing (season), species of wildlife involved, and volume of the spill would determine the magnitude of the impacts to terrestrial resources; spills in waterways are generally more severe than spills on land. Impacts from a spill could be significant if the oil contaminated a rare plant or animal species or its habitat. Spills would be more serious in wooded areas, on steep slopes, or in wetlands because cleanup would be difficult, regeneration time would be longer than for other areas, and high value wildlife habitat could be affected.

At Glythe, California the pipeline would cross the Colorado River. Extensive man-made wetlands (primary willows and salt cedars) occur 1,000 to 1,500 feet downstream of the proposed crossing. Of great concern is the potential for an oil spill at the Colorado River crossing. A pipeline rupture at the crossing could release about 3,506 barrels of oil. Given the proximity of the downstream wetlands, it is likely this area would be contaminated in the event of an accidental spill. The magnitude of the impact would depend on the volume of oil released, the flow in the river, and season. At low flow conditions, backwater areas, including most of the wetlands, are separated from the river and would not be oiled. At higher flows the mouth of these areas could be affected as well as several miles of riparian vegetation downstream.

If a spill occurred at the Colorado River during winter, up to 1,200 waterfowl could be affected. Oiled birds would likely die from exposure, increased stress, or ingestion of oil. If the spill occurred during the breeding season, nesting waterfowl and marsh birds would be adversely affected. Oiled adults and eggs would likely not survive, resulting in reduced population levels.

If a spill was not immediately contained, it is possible oil could reach Cibola and Imperial NWRs, 20 miles downstream of the Colorado River crossing. The Yuma clapper rail (a federally-listed endangered species) occurs in wetlands within these refuges. Loss of individual clapper rail or their habitat would be considered a significant impact.

An oil spill in the Colorado River in any season would be considered a significant impact. However, given the low probability of any spill along the route and the even lower probability of a spill at any given 1,000 foot water crossing (1 spill in 5,000 years), the risk of a spill is minimal.

In Cochise County, Arizona near the Hot Springs Pump Station the pipeline would cross the Muleshore Ranch Nature Preserve managed by the Arizona Nature Conservancy. The preserve has a unique mixed broadleaf riparian communities in Bass Canyon, Double R Canyon, and Hot Springs Canyon. These riparian communities are now rare in the Southwestern U.S. and provide nesting habitat for rare species like the black hawk,

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zone-tailed hawk, gray hawk, and northern beardless tyrannulet. In the event of an oil spill, oil could reach Hot Springs Creek via the many arroyos crossed by the pipeline. An oil spill into the riparian zone along Hot Springs Creek would likely kill herbaceous vegetation and could affect trees if oil reached the root zones. An oil spill in Hot Springs Creek would be a significant impact.

Operation of the pipeline, primarily because of increased ORV access, would increase the risk of wildlife harassment, illegal hunting, and removal of commercial plant species (cactus) in remote areas. Loss of individuals of sensitive wildlife species, including San Joaquin kit fox and blunt-nosed leopard lizard, or loss of commercial cactus would be a significant impact.

Pipeline operation requires regular maintenance inspections. Travel off the ROW by pipeline personnel in sensitive wildlife habitat or plant communities could result in damage to these areas or loss of individuals of sensitive plant or animal species, which would be considered a significant impact. In addition to ground inspection, there will be an aerial reconnaissance of the entire ROW every two weeks. California condors could be affected by the disturbance from these aircraft flights after construction.

A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup. The plan should require notification of the appropriate wildlife authorities in all sensitive habitats.

Other mitigations for impacts due to operation of the pipeline can be required by the appropriate land use authority, including the California counties of Santa Barbara, San Luis Obispo, Kern, San Bernardino and Riverside, the USFS for the Los Padres National Forest, and the BLM for other federal land in California and all federal land outside California. The USFWS may require certain stipulations to protect wildlife on all federal lands and the California Department of Fish and Game has permit authority over all stream crossings in California. Additionally, the USFWS administers certain

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protections for federal threatened and endangered species, and local state fish and game departments are empowered to enforce certain protections for state-listed or otherwise state-protected species.

A special oil spill contingency plan should be drawn up for the Colorado River crossing in consultation with the California State Lands Commission, USFWS, and California and Arizona Departments of Fish and Game. Oil spill booms and cleanup equipment should be stored as near as possible to the man-made wetlands downstream of the crossing and at all other important Yuma clapper rail habitat areas downstream. If a rupture occurs, crews could quickly move the booms into place, minimizing the possibility of oil reaching sensitive habitats. A system should be devised to alert upstream dam operators to reduce flows immediately if a pipeline rupture occurs. Although unlikely, a major oil spill at the Colorado River crossing could cause loss of waterfowl, sensitive wetland habitat, and individuals of the Yuma clapper rail, a federal endangered species.

Where the ROW crosses existing roads in sensitive habitats, locked gates should be erected to discourage ORV use after construction. Pipeline personnel driving the ROW for inspection should not be allowed off the ROW except where specified by the land management authority. Limiting vehicle use off the ROW will minimize the risk of losing sensitive wildlife habitat, plant communities, or individuals of sensitive plant or animal species.

Where the pipeline route crosses through California condor habitat, aerial flight reconnaissances should approach on line with the ROW and remain on the ROW over condor essential habitat. The pilot responsible for the aerial reconnaissance of the ROW should consult with the National Audubon Society's condor research pilot concerning avoidance measures and flying techniques to avoid condor collisions. These measures will reduce the impacts on the condor due to pipeline operation.

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CELERON/ALL AMERICAN

TERRESTRIAL BIOLOGY: Construction

IMPACT: Loss or disturbance of sensitive plant communities or individuals of sensitive plant species.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM; California Department of Parks and Recreation; USFWS; State Fish and Game Departments).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Construction of the pipeline involves clearing a 100 foot ROW with heavy earth-moving equipment. Above-ground obstacles such as trees, brush and boulders are removed, and any stumps or roots in the ditch line are taken out. After clearing, the ROW is graded and leveled as necessary for vehicle and equipment operation. These construction activities would generally remove or kill all vegetation in the 100 foot ROW corridor. Furthermore, adjacent vegetation may be disturbed by cut-and-fill excavations, disposal of refuse vegetation and rocky soil, and vehicle movement off the ROW.

Where the pipeline route crosses through sensitive and ecologically valuable communities such as riparian vegetation, oak woodlands, Joshua tree woodlands, ironwood washes and dune communities, or removes individuals of sensitive plant species, such as live oaks, the Barstow woolly sunflower, Comanche layia, Calico monkey flower or Crucifixion thorn, or any species of commercial cactus, ROW construction would cause a significant impact.

Because of the linear nature of the pipeline, many government agencies have land use responsibility and jurisdiction over the project and, thus, can require mitigation.

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measures as part of a ROW or construction permit or grant. In California, Santa Barbara, San Luis Obispo, Kern, San Bernardino and Riverside counties have jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota State Park; the USFS has jurisdiction over the route through the Los Padres NF; and BLM administers public (Federal) lands in the deserts. The USFWS may require stipulations to protect certain plant communities, on all Federal lands and the California Department of Fish and Game has permit authority over all stream crossings. Additionally, the USFWS administers certain protections for Federal threatened and endangered species, and local state fish and game departments are empowered to enforce certain protections for state-listed or otherwise state protected species.

Several mitigation measures are suggested in the EIR which the appropriate agency can require to reduce the impact of ROW construction on sensitive plant communities or species.

Construction should avoid, to the maximum extent possible, disturbance to sensitive and valuable plant communities, including riparian areas, oak woodlands, Coulter pine, live oaks, Joshua tree woodlands, desert dunes, and ironwood washes. Locations to be avoided should be determined by the applicable land management or regulatory agency. The construction ROW should be reduced to 50-foot wide in sensitive communities, and no staging areas should be located in these areas. Trees over six inches in diameter should not be removed or damaged without prior authorization by the appropriate management agency. This would reduce the impacts on sensitive plant communities by 50 percent or more.

Site restoration and revegetation plans should be required by the local land use authority prior to construction for all affected sensitive plant communities. The plan should be prepared and carried out in consultation with local State Fish and Game and/or USFWS personnel. Rehabilitation activities should restore the sites to their natural condition as much as feasible. The dominant native plant species should be re-established to original densities by natural succession, if possible, by seed, seedlings, or cuttings. Planting non-native species should be avoided.

Revegetation of trees and many shrubs by artificial means or natural succession is not likely to be successful in grazed lands. In plant communities dominated by large, older trees, such as oak woodlands, restoration is not possible by any means for 70 years or more. Due to these factors there would be unavoidable significant adverse impacts due to construction in riparian and oak woodlands remaining.

The pipeline ROW should be required to use existing ROWs or roads, such as the La Brea Canyon Road or the El Paso

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Natural Gas ROW, to the extent possible. Vehicle operation off the ROW by construction workers should be prohibited except where specified by the land manager. These measures, would reduce impacts to sensitive plant communities and species by minimizing total area disturbed.

Using the Santa Maria Canyon Alternative would avoid the significant impacts on riparian woodlands in La Brea Canyon, but would increase the amount of oak woodland. Loss of oak woodlands would remain as an unavoidable significant impact.

At the Muleshoe Ranch Preserve in Arizona, revegetation should be in accordance with plans determined by the Nature Conservancy, BLM, and Forest Service. The ROW should utilize the existing El Paso ROW to the extent possible, and large sycamores in Bass Canyon should not be removed. These measures will decrease impacts on the sensitive riparian communities in the Preserve.

For California State-listed plant species, site-specific field inventories should be required prior to construction. This measure should be consistent with the intent and general provisions of Assembly Bill No. 3309, the California Endangered Species Act which will become effective January 1, 1985. A qualified biologist should survey the Applicant's ROW in areas suspected of having threatened and endangered state-listed species. Potential areas where these species may occur are identified in Appendix B of the DEIR/EIS. The California Fish and Game Department will be consulted concerning appropriate methods for survey as well as appropriate mitigation measures if these species are found on the ROW.

Commercial cactus are found along the ROW in Arizona. Cactus should be salvaged where practical, and their loss minimized under the authority and direction of the Arizona Department of Agriculture and Horticulture.

Other sensitive species may also occur on the ROW. These should also be protected by conducting a botanical survey of the ROW, and then modifying the project, if possible, to minimize impacts on any sensitive species present.

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CELERON/ALL AMERICAN

TERRESTRIAL BIOLOGY: Construction

IMPACT: Loss of sensitive wildlife habitat and loss or disturbance of sensitive wildlife species.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Construction of the pipeline consists of a series of operations, including preparing the ROW, building and laying the pipe and cleaning up and restoring the site. The construction activities will require many machines, vehicles, and personnel and will be accompanied by noise, dust, and general human disturbance. Occasional blasting may be necessary as well.

Preparing the ROW involves clearing a 100 foot corridor with heavy earth-moving equipment followed by grading and leveling. These activities would generally remove all wildlife habitat, destroy dens and burrows, and kill most small mammals, amphibians, and reptiles with limited mobility, in the ROW corridor.

Construction in general would cause displacement of large mammals, birds, and some reptiles from the area for the duration of the construction. This would be significant if there are impacts to sensitive species such as disruption of raptor nesting or California condor foraging, or disturbance of bighorn sheep lambing or migration. Additionally, the ROW and pipe ditch may temporarily be a barrier to normal movement patterns and may separate animals from habitat requirements such as watering holes. Increased use of vehicles and human

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access into previously remote areas could increase the risk of wildlife harassment and illegal shooting, a significant impact if sensitive species are disturbed or killed.

Loss of wildlife habitat due to ROW construction would be significant in the desert, where revegetation could take up to 70 years; in sensitive and valuable habitat types such as riparian systems, and in habitats supporting rare, threatened, endangered or other sensitive species, such as the Blunt-nosed leopard lizard, San Joaquin kit fox (both federally-listed endangered species) and the desert tortoise or desert bighorn sheep (USFS and BLM sensitive species). Loss of individual animals of sensitive species is also considered a significant impact. (See Appendix B of DEIR/EIS for list of special concern species on route)

Because of the linear nature of the pipeline, many agencies have land use responsibility and jurisdiction over the project, and thus can require mitigation measures as part of a ROW or construction permit or grant. In California, Santa Barbara, San Luis Obispo, Kern, San Bernardino, and Riverside counties have jurisdiction over private lands along the pipeline route; the California Department of Parks and Recreation administers Gaviota State Park; and the USFS has jurisdiction over the route through the Los Padres National Forest and BLM administers public (Federal) lands in the desert inside and outside of California. The USFWS may require certain stipulation on all Federal lands to protect wildlife resources, and the California Department of Fish and Game has permit authority over all stream crossings in California. Additionally, the USFWS administers certain protections for federal threatened and endangered species, and local state fish and game departments are empowered to enforce certain protections for state-listed or otherwise state-protected species.

The pipeline route crosses though several areas which possess many unique and valuable ecological resources: The La Brea Canyon area, in the Los Padres National Forest, managed by USFS; the KOFA National Wildlife Refuge, managed by USFWS; Muleshoe Ranch Preserve, managed by the Arizona Nature Conservancy in cooperation with USFS; and the Gypsum Dunes Preserve, managed by Texas Nature Conservancy.

The EIR/EIS describes many feasible mitigation measures, including alternative routes, which would serve to avoid or substantially lessen the significant environmental impacts of project construction on wildlife resources.

The following discussion presents mitigation measures of general applicability first, followed by those specific to a particular sensitive species or location. Route alternatives are then discussed in the context of mitigating terrestrial wildlife impacts.

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GENERAL MITIGATION MEASURES

Construction should avoid, to the maximum extent possible, disturbance to all sensitive wildlife habitats, such as riparian communities, oak woodlands, and habitats for particular sensitive animal species. Locations to be avoided would be determined by the applicable land manager or regulatory agency in consultation with the appropriate wildlife management authority. When routing around such habitats is not feasible, the construction ROW should be reduced to 50-foot wide in sensitive habitats and staging areas should not be located in these areas. Large trees (over 5 inches in diameter for oaks and riparian species) should not be removed or damaged without prior authorization by the appropriate management agency. This would reduce the impacts on sensitive habitats by 50 percent or more.

Site restoration and revegetation plans should be required by the local land use authority prior to construction for sensitive habitat areas. The plans should be prepared and carried out in consultation with local state fish and game and USFWS personnel. Rehabilitation activities should restore the sites to their natural condition as much as feasible, by using methods such as:

- Re-establishing the native dominant plant species to original densities, by natural succession if possible, or by seed, seedlings or cuttings;

- Where planting non-native species is necessary, using only those naturalized to the area and which are beneficial for wildlife and/or erosion control.

- Using natural materials and minimal construction when possible for bank protection and slope restoration.

Revegetation by artificial means or natural succession is not likely to be successful in grazed lands or in deserts. In habitats dominated by large, older trees, restoration is not possible by any means for 70 years or more. Due to these factors, there would be significant unavoidable adverse impacts from Celeron/All American pipeline construction on oak woodlands, riparian areas, and desert tortoise habitat.

During construction in creosote scrub and alkali scrub areas of the desert, ROW clearing should be limited to trimming or crushing whenever possible. This would limit the amount of shrub vegetation disturbed and reduce erosion. By not disturbing the root system, many crushed or clipped shrubs will resprout and revegetate the ROW more quickly. In all desert areas, some of the cleared or clipped vegetation should be piled in small thickets off the ROW (where acceptable to the landowner or land manager) to provide cover for displaced animals. This would provide cover for displaced small mammals

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and reptiles, especially small desert tortoises, and will decrease heat stress and minimize exposure to predators. These measures would reduce the loss of and speed the re-establishment of desert wildlife habitat.

Vehicle operation off the ROW by construction workers should be prohibited except where specified by the landowner or land management agency. Limiting vehicle use off the ROW will minimize the risk of impacting wildlife habitat or sensitive animal species. This would be especially important in desert bighorn sheep range.

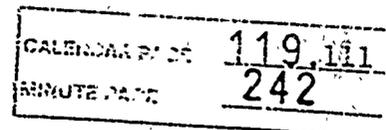
The pipeline ROW should be required to use or follow existing ROWs or roads, such as the La Brea Canyon Road, Highway 166, or the El Paso Natural Gas ROW, to the extent possible. This would help minimize the amount of wildlife habitat lost and the number of individual animals disturbed or killed.

During construction, the open pipeline trench would be limited to 0.5 mile in areas where the pipeline could limit wildlife access to water, such as in La Brea Canyon in California, and Hot Springs Creek in Arizona. Skip sections or temporary bridges across the pipeline trench should also be used if more than 0.5 mile of trench must remain open for an extended period. Backfilling of the trench, especially at skip sections, should be a gentle grade to allow escape of animals from the trench. This would minimize impacts caused by water stress and disruption of movement patterns. Not all animals are accustomed to crossing skip sections; however, it will provide an opportunity for wildlife (like deer and coyotes) accustomed to human presence to cross the pipeline trench.

Development of additional water sources should also be considered as a partial compensation for loss or disturbance of sensitive wildlife habitat.

For California state-listed animal species, site-specific field inventories should be required prior to construction. This should be consistent with the intent and general provisions of Assembly Bill No. 3309, the California Endangered Species Act which will become effective January 1, 1985. A qualified biologist should survey the ROWs in areas suspected of having threatened and endangered state-listed species. Potential areas where these species may occur are identified in Appendix B of the DEIR/EIS. The California Fish and Game Department should be consulted concerning appropriate methods for survey as well as appropriate mitigation measures if these species are found on the ROW. This measure would eliminate most significant impacts to state-listed species. Loss of individuals or their habitat which occurs as a result of construction would be an unavoidable significant adverse impact.

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Federal, state, and county laws and regulations pertaining to sensitive vegetation and wildlife (e.g., T & E species, game species) should be posted in conspicuous places at the job site and included in pipeline contractor's contract. The Applicants should provide basic educational materials concerning wildlife laws and regulations as well as the required mitigation measures designed to minimize impacts. Posted laws and regulations and educating field crews on the intent of mitigation measures will at least eliminate the violator's excuse for ignorance of the law or ROW grant provisions.

SPECIFIC MITIGATION MEASURES

Blunt-nosed Leopard Lizard

In order to minimize the effects of construction of the proposed pipeline on the Blunt-nosed leopard lizard and its habitat, the following measures should be required and enforced by the USFWS, in conjunction with CDFG:

Blunt-nosed leopard lizard habitat in the Cuyama and San Joaquin Valleys should be evaluated prior to construction. Where suitable habitat occurs, attempts to relocate the pipeline (primarily to agricultural lands) should be considered. In habitat that must be affected, the construction disturbance on the ROW should be limited to 50 feet or less. The ROW should be revegetated with native species to encourage reestablishment of habitat and to discourage weed invasion. In addition, for the route in T11N, AR24W, Sections 18, 7, 8 and 9 (about 3.2 miles of blunt-nosed leopard lizard habitat), no ORV use should be allowed off the ROW during construction. This will minimize road kills and destruction of habitat. Dumping of trash or waste oils should not occur in sandy washes or in other suitable lizard habitats.

Avoiding leopard lizard habitat will be the most effective measure of ensuring that these animals are not affected. Where construction must occur in their habitat, some lizards will still be impacted by vehicles and trenching equipment; however, the population may be able to survive the loss of a few individuals if the habitat is restored and land use practices on the ROW do not change.

Minimizing the construction ROW width will minimize loss of blunt-nosed leopard lizard habitat by 50 percent. Loss of some habitat and some individuals of the blunt-nosed leopard lizard would remain as a unavoidable significant adverse impact.

San Joaquin Kit Fox

In order to minimize the effects of construction of the proposed pipeline on the San Joaquin kit fox and its habitat,

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the following measures should be required and enforced by the USFWS in conjunction with CDFG:

All potential San Joaquin kit fox habitat on the proposed route should be evaluated prior to construction. Where suitable habitat occurs, attempts to relocate the pipeline (primarily to agricultural lands) will be considered. In habitat that must be affected, the construction disturbance on the ROW will be limited to 50 feet or less. If kit fox dens are found in the ROW, the pipeline ROW should be altered 100 feet to miss dens. The ROW should be revegetated with native species to encourage reestablishment of habitat. In addition, for the route in T10N, R24W, Sections 9, 4, 3, and 34, and T11N, R24W, Sections 27, 26, 23, 24, 13, 18, 7, 8, and 9 (about 10 miles off San Joaquin kit fox habitat), no ORV use should be allowed off the ROW during construction, and where the ROW crosses existing roads, locked gates should be erected to discourage ORV use after construction.

These measures should eliminate the adverse impacts of kit fox individuals and substantially reduce the impacts on habitat. Loss of some kit fox habitat would remain as an unavoidable significant impact.

California Condor

In order to minimize the effects of construction of the proposed pipeline on the California Condor and its habitat, the following measures should be required and enforced by the USFWS in conjunction with CDFG:

The ROW will be routed to avoid crossing the Hudson Ranch to the degree possible in order to minimize future conflicts with any special management plans. The ROW will parallel Highway 166 and other existing roads to the degree possible in order to minimize disturbance in condor foraging areas. Blasting in the Cummings Mountain area should use small charges and debris blankets to muffle and minimize noise levels. No guns should be allowed on the construction spread in condor essential habitat. This measure can be added to pipeline contractor contracts by the applicant. The applicant will review site specific revegetation plans for the Hudson Ranch area with USFWS. If construction of either pipeline is delayed, the applicants should consult with USFWS concerning timing of construction to avoid potential conflicts with the condor captive-release program. These measures would eliminate or substantially reduce any adverse impacts due to construction on the California Condor.

Desert Tortoise

All construction across desert tortoise habitat should occur between October and March when tortoises are hibernating. A desert tortoise expert should be present during

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construction. Any active desert tortoise should be removed from the construction ROW ahead of construction equipment and moved to habitat within 100 yards of the capture site. Burrows within the ROW should be carefully opened using hand tools and hibernating tortoises removed. Injured tortoises should be turned over to the Department of Fish and Game. Adequate funds for costs involved in rehabilitating injured tortoises and returning them to their home sites (within 100 yards of capture site) should be paid by the applicant. Injuries and deaths of tortoises would be minimized if construction occurs when tortoises are inactive (i.e., only tortoises hibernating right on the ROW would be impacted). Removal of active tortoises from the construction area will ensure survival of these individuals. Burrows can be successfully constructed with hand tools and plywood. These measures would eliminate loss of individual tortoises. Previously discussed measures for desert habitat would substantially reduce impacts on tortoise habitat, but some loss would result, an unavoidable significant adverse impact

Raptors

A competent wildlife biologist should survey all potential raptor nesting habitat within 0.5 mile of the pipeline prior to construction. Active and inactive nests should be identified. No construction should occur within 0.5 mile of active ayrias during the nesting season (generally between March 15 to July 15, site-specific timing constraints may vary based on biologist recommendations). Construction could be permitted near inactive nests; however, no nest sites should be disturbed. Potential perch sites cleaned by ridge-top construction should also be identified by the Applicants. Where deemed necessary by local Fish and Game biologists, raptor perch or roost trees should be avoided, and/or artificial roosts should be constructed on ridgelines to mitigate losses of such trees resulting from clearing the ROW on ridgetops. This measure would prevent nest abandonment resulting from pipeline construction and minimize loss of perch sites. It would also help provide flexibility for construction scheduling.

Desert Bighorn Sheep

During construction the open pipeline trench should be limited to 0.5 mile in desert bighorn sheep areas. Skip sections or temporary bridges across the pipeline trench should also be used if more than 0.5 mile of trench must remain open for an extended period. Backfilling of the trench, especially at skip sections, should be a gentle grade to allow escape of animals from the trench. This would minimize impacts caused by disruption of movement patterns.

The Applicants should work with BLM and Arizona Game and Fish biologists in evaluating potential opportunities to

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minimize impacts to bighorn sheep, such as developing water sources in other parts of their habitat to encourage movement away from disturbed areas, and ORV access points. Developing new water resources away from development may reduce future man-bighorn conflicts especially in areas where ORV use is difficult to control.

No construction should be allowed in the Copper Bottom Pass area during January to March (lambing) and May to October (water stress) periods. Barriers to block unauthorized access along the ROW should be erected by the applicant in consultation with BLM. Any effects on bighorn sheep water resources should be mitigated through avoidance or construction of new wells, or collectors. This measure would reduce impacts on bighorn sheep in the Dome Rock Mountains, but will not be completely effective because pipeline maintenance and access into this remote area would eventually disturb bighorns. The remaining impact to Bighorn sheep would be an unavoidable significant adverse effect.

In the Kofa NWR no pipeline construction should be allowed during bighorn use of the migratory corridors. Avoidance periods and formal restrictions would be determined by FWS. This would eliminate impacts related directly to disturbance of bighorn sheep due to pipeline construction activity.

Muleshoe Ranch Preserve

At the Muleshoe Ranch Preserve, construction should occur between August 30 and April 1. Revegetation should be in accordance with plans determined by the Nature Conservancy, BLM, and Forest Service. The ROW should utilize the existing El Paso ROW to the extent possible. Large sycamores in Bass Canyon should not be removed. Seasonal construction restrictions (i.e., no activity during the April to August nesting season) would prevent nest abandonment by nesting raptors resulting from construction activity. Reseeding with native vegetation and minimizing impacts to riparian communities would decrease impacts on wildlife and wildlife habitat.

ROUTE ALTERNATIVES

Santa Maria Canyon

The Santa Maria Canyon alternative would avoid impacts on riparian habitat in the La Brea Canyon and reduce chance of disturbing California Condors flying over the Sierra Madre Ridge. Santa Maria Canyon "A" could possible cause impacts to sensitive raptors, prairie falcons and golden eagles. Santa Maria Canyon "B" would not have this impact on raptors. (See also following section on this alternative).

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Brenda Alternative

The Brenda Alternative would reduce substantially the construction impacts on desert tortoises and desert bighorn sheep over the proposed route through the Dome Rock Mountains and Kofa National Wildlife Refuge. Some unavoidable adverse impacts would remain on these resources, although smaller than for the proposed project.

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CELERON/ALL AMERICAN

TERRESTRIAL BIOLOGY: Operation

IMPACT: Loss of sensitive wildlife habitat or individuals of sensitive plant and animal species due to pipeline operation.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM; USFWS; California Department of Fish and Game; California State Lands Commission).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Oil spills could kill vegetation and result in erosion and loss of wildlife habitat. Spills over 50 acres would be unlikely; the worst-case spill on the Celeron/All American route would release about 15,000 barrels and cover about 16 acres.

Terrestrial plant communities could be directly and indirectly affected by oil spills. Oil in the soil can reduce the availability of water to plants and cause plant mortality due to direct oil contact. Direct contact of oil with the plants can cause loss of foliage, reduced photosynthesis, reduced nutrient levels reduced flower and seed production, and toxic effects on cells. Indirect impacts can result from clean-up efforts such as burning, clearing of oiled vegetation, or removal of topsoil. Plant regeneration is best on well drained soils. Impacts to trees and shrubs can be less severe if root systems are oil-free and well aerated. Impacts of oil when deciduous plants are in leaf are generally more severe than when they are dormant.

Direct impacts to terrestrial wildlife would generally be minimal because of the small size of the affected area and the mobility of these species. Indirect impacts to habitat could

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be more serious, although not usually significant on a regional basis. The timing (season), species of wildlife involved, and volume of the spill would determine the magnitude of the impacts to terrestrial resources; spills in waterways are generally more severe than spills on land. Impacts from a spill could be significant the oil contaminated a rare plant or animal species or its habitat. Spills would be more serious in wooded areas, on steep slopes, or in wetlands because cleanup would be difficult, regeneration time would be longer than for other areas, and high value wildlife habitat could be affected.

At Blythe, California the pipeline would cross the Colorado River. Extensive man-made wetlands (primary willows and salt cedars) occur 1,000 to 1,500 feet downstream of the proposed crossing. Of great concern is the potential for an oil spill at the Colorado River crossing. A pipeline rupture at the crossing could release about 3,506 barrels of oil. Given the proximity of the downstream wetlands, it is likely this area would be contaminated in the event of an accidental spill. The magnitude of the impact would depend on the volume of oil released, the flow in the river, and season. At low flow conditions, backwater areas, including most of the wetlands, are separated from the river and would not be oiled. At higher flows the mouth of these areas could be affected as well as several miles of riparian vegetation downstream.

If a spill occurred at the Colorado River during winter, up to 1,200 waterfowl could be affected. Oiled birds would likely die from exposure, increased stress, or ingestion of oil. If the spill occurred during the breeding season, nesting waterfowl and marsh birds would be adversely affected. Oiled adults and eggs would likely not survive, resulting in reduced population levels.

If a spill was not immediately contained, it is possible oil could reach Cibola and Imperial NWRs, 20 miles downstream of the Colorado River crossing. The Yuma clapper rail (a federally-listed endangered species) occurs in wetlands within these refuges. Loss of individual clapper rail or their habitat would be considered a significant impact.

An oil spill in the Colorado River in any season would be considered a significant impact. However, given the low probability of any spill along the route and the even lower probability of a spill at any given 1,000 foot water crossing (1 spill in 5,000 years), the risk of a spill is minimal.

In Cochise County, Arizona near the Hot Springs Pump Station, the pipeline would cross the Muleshore Ranch Nature Preserve managed by the Arizona Nature Conservancy. The preserve has a unique mixed broadleaf riparian communities in Bass Canyon, Double R Canyon, and Hot Springs Canyon. These riparian communities are now rare in the Southwestern U.S. and provide nesting habitat for rare species like the black hawk.

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zone-tailed hawk, gray hawk, and northern beardless tyrannulet. In the event of an oil spill, oil could reach Hot Springs Creek via the many arroyos crossed by the pipeline. An oil spill into the riparian zone along Hot Springs Creek would likely kill herbaceous vegetation and could affect trees if oil reached the root zones. An oil spill in Hot Springs Creek would be a significant impact.

Operation of the pipeline, primarily because of increased ORV access, would increase the risk of wildlife harassment, illegal hunting, and removal of commercial plant species (cactus) in remote areas. Loss of individuals of sensitive wildlife species, including San Joaquin kit fox and blunt-nosed leopard lizard, or loss of commercial cactus would be a significant impact.

Pipeline operation requires regular maintenance inspections. Travel off the ROW by pipeline personnel in sensitive wildlife habitat or plant communities could result in damage to these areas or loss of individuals of sensitive plant or animal species, which would be considered a significant impact. In addition to ground inspection, there will be an aerial reconnaissance of the entire ROW every two weeks. California condors could be affected by the disturbance from these aircraft flights after construction.

A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup. The plan should require notification of the appropriate wildlife authorities in all sensitive habitats.

Other mitigations for impacts due to operation of the pipeline can be required by the appropriate land use authority, including the California counties of Santa Barbara, San Luis Obispo, Kern, San Bernardino and Riverside, the USFS for the Los Padres National Forest, and the BLM for other federal land in California and all federal land outside California. The USFWS may require certain stipulations to protect wildlife on all federal lands and the California Department of Fish and Game has permit authority over all stream crossings in California. Additionally, the USFWS administers certain protections for federal threatened and endangered species, and

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local state fish and game departments are empowered to enforce certain protections for state-listed or otherwise state-protected species.

A special oil spill contingency plan should be drawn up for the Colorado River crossing in consultation with the California State Lands Commission, USFWS and California and Arizona Departments of Fish and Game. Oil spill booms and cleanup equipment should be stored as near as possible to the man-made wetlands downstream of the crossing and at all other important Yuma clapper rail habitat areas downstream. If a rupture occurs, crews could quickly move the booms into place, minimizing the possibility of oil reaching sensitive habitats. A system should be devised to alert upstream dam operators to reduce flows immediately if a pipeline rupture occurs. Although unlikely, a major oil spill at the Colorado River crossing could cause loss of waterfowl, sensitive wetland habitat, and individuals of the Yuma clapper rail, a federal endangered species.

Where the ROW crosses existing roads in sensitive habitats, locked gates should be erected to discourage ORV use after construction. Pipeline personnel driving the ROW for inspection should not be allowed off the ROW except where specified by the land management authority. Limiting vehicle use off the ROW will minimize the risk of losing sensitive wildlife habitat, plant communities, or individuals of sensitive plant or animal species.

Where the pipeline route crosses through California condor habitat, aerial flight reconnaissance should approach on line with the ROW and remain on the ROW over condor essential habitat. The pilot responsible for the aerial reconnaissance of the ROW should consult with the National Audubon Society's condor research pilot concerning avoidance measures and flying techniques to avoid condor collisions. These measures will reduce the impacts on the condor due to pipeline operation.

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GETTY TRADING AND TRANSPORTATION COMPANY (GETTY)

GEOLOGY: Operation

IMPACT: Potential hazards and risks to pipeline due to possible surface rupture of the South Branch Santa Ynez and San Andreas faults.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties); United States Forest Service (USFS); Bureau of Land Management (BLM).

FACTS SUPPORTING FINDING:

Although it is difficult to quantify the probability of surface fault rupture, it is generally accepted that the more recently a fault has moved, the more likely it is to move again in any given period of time in the future. The State of California Division of Mines and Geology (CDMG) has identified certain faults which are judged sufficiently capable of surface rupture in the short-term (tens of years) that they deserve special study and design before human-occupancy structures can be built in their vicinity. Among other criteria, evidence of Holocene offset is sufficient to cause a fault to be zoned.

Of the geologically young (Quaternary-age) faults, only the San Andreas is zoned by the CDMG at the crossings of the applicants' proposed routes. Although not zoned, there is sufficient evidence to regard the South Branch Santa Ynez fault as having a probability of offset during the pipeline life on the order of, or greater than, 1 in 10,000 per year. The probability of surface rupture on the other Quaternary faults from Las Flores to Emidio is uncertain, but judged to be quite low.

Surface offset of the San Andreas fault during a large earthquake is judged sufficiently probable to require specific mitigation. Movement would likely be horizontal with the ground on the southwest side of the fault moving northwest relative the opposite side of the fault (i.e., right-lateral offset). The amount of movement is difficult to predict, but could be as much as 10 to 30' based on past behavior. Without

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special design provision this amount of offset would almost certainly result in rupture of the pipeline with oil spillage and the resultant impacts. Much smaller offset would be expected on the South Branch Santa Ynez fault due to its significantly shorter length and structural character as a splay of a larger fault.

Because of the linear nature of the pipeline, many government agencies have land use responsibility and jurisdiction over the project and, thus, can require mitigation measures as part of a ROW or construction permit or grant. In California, Santa Barbara, San Luis Obispo and Kern counties have jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota State Park; the USFS has jurisdiction over the route through the Los Padres NF; and BLM administers public (Federal) lands in the deserts.

Several mitigation measures follow which the appropriate agency can require to reduce the impact of ROW construction.

Appropriately detailed geologic, seismologic and geotechnical studies should be conducted to identify and characterize geologic hazards and to provide information for design of earthwork and foundation along the pipeline route and at pump and heater stations, tank farms, and delivery stations. (See Mitigation 1) Special geologic/seismologic studies should be conducted to characterize potential surface effects at the South Branch Santa Ynez and San Andreas and appropriate crossings will be designed. (See Mitigation 3)

Geologic hazards identified and characterized as a result of the above should be dealt with by specific mitigation which may involve avoidance by re-routing, remedial earthwork, or special structural or foundation design. (See Mitigation 1-A)

Appropriate ground motion parameters should be developed for use in seismic design of critical structure and equipment, including pumps, valves, piping, communications systems, and instrumentation. (See Mitigation 2)

Implementation of above-listed mitigation measures (1, 1-A, 2 and 3) will minimize potential for serious damage leading to oil spills by defining site-specific seismic and fault hazards in areas of high risk and by implementing appropriate offset or design techniques.

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- GEOLOGY: Operation
- IMPACT: Potential hazards and risks due to slope failures in existing slide areas.
- FINDING: a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM).

FACTS SUPPORTING FINDING:

Slope instability could result in rupture of the pipelines, a potential significant impact. Landslides of various types and sizes exist on or near the routes. Continued movement of active slides or reactivation of dormant slides due to intense rainfall, seismic shaking, construction grading, or other natural or manmade causes could result in failures leading to oil spills.

In addition to reactivating existing slides, new natural landsliding may occur in similar geologic units on slopes subjected to destabilizing conditions. This would include enlargement of existing slides, as well as separate new slides. The main factors which could lead to new natural instability would be undercutting slopes by erosion, excessive rainfall, and seismic shaking, acting either separately or together. The risk of these types of failures is judged moderate for enlargement of existing slides, and moderate to low for completely new natural slides along the applicant's proposed route.

In California, Santa Barbara, San Luis Obispo and Kern counties have jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota State Park; the USFS has jurisdiction over the route through the Los Padres NF; and BLM administers public (Federal) lands in the deserts.

Several mitigation measures follow which the appropriate agency can require to reduce the impact of pipeline operation.

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Appropriately detailed geologic, seismologic and geotechnical studies should be conducted to identify and characterize geologic hazards and to provide information for design of earthwork and foundations along the pipeline route and at pump and heater stations, tank farms, and delivery stations. (See Mitigation 1) Special geologic/seismologic studies will be conducted to characterize potential surface affect at the South Branch Santa Ynez, San Andreas and Garlock faults and appropriate crossing will be designed. (See Mitigation 3)

Geologic hazards identified and characterized as a result of the above will be dealt with by specific mitigation which may involve avoidance by re-routing, remedial earthwork, or special structural or foundation design. (See Mitigation 1-A)

Appropriate ground motion parameters will be developed for use in seismic design of critical structure and equipment, including pumps, valves, piping, communications systems, and instrumentation. (See Mitigation 2)

Implementation of above-listed mitigation measures (1, 1-A, 2 and 3) will minimize potential for serious damage leading to oil spills by defining site-specific seismic and fault hazards in areas of high risk and by implementing appropriate offset or design techniques.

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- SOILS: Operation
- IMPACT: Oil spill impacts on sensitive soils in agricultural lands of southwestern Kern County, and Cuyama Valley.
- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara, San Luis Obispo, and Kern counties).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Significant adverse impacts to soils would result from oil pipeline leaks and ruptures. Contamination of soils would result in increased microbial activity and decreased water uptake and infiltration rates. Soil productivity would be reduced within a spill area and result in a temporary decrease in vegetation production levels. The size and duration of soil impacts due to oil spills would be dictated by the extent of the spill, infiltration depth of the oil, soil characteristics, local topography and type of vegetative cover.

Agricultural areas would be the most sensitive to oil spill impacts. The impacts would be soil contamination and subsequent loss of production. Depending on the depth of oil penetration and climate conditions, reclamation of oil-damaged soils can take from one to many years following contamination. Since reclamation practices can be feasibly implemented in agricultural areas, reclamation of agricultural lands would most likely occur more quickly than in native plan communities.

In California, Santa Barbara, San Luis Obispo, and Kern counties have jurisdiction over private lands along the pipeline route.

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SOILS: Operation

IMPACT: Oil spill impacts on sensitive soils in agricultural lands of southwestern Kern County, and Cuyama Valley.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara, San Luis Obispo, and Kern counties).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Significant adverse impacts to soils would result from oil pipeline leaks and ruptures. Contamination of soils would result in increased microbial activity and decreased water uptake and infiltration rates. Soil productivity would be reduced within a spill area and result in a temporary decrease in vegetation production levels. The size and duration of soil impacts due to oil spills would be dictated by the extent of the spill, infiltration depth of the oil, soil characteristics, local topography and type of vegetative cover.

Agricultural areas would be the most sensitive to oil spill impacts. The impacts would be soil contamination and subsequent loss of production. Depending on the depth of oil penetration and climate conditions, reclamation of oil-damaged soils can take from one to many years following contamination. Since reclamation practices can be feasibly implemented in agricultural areas, reclamation of agricultural lands would most likely occur more quickly than in native plan communities.

In California, Santa Barbara, San Luis Obispo, and Kern counties have jurisdiction over private lands along the pipeline route.

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A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup.

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SURFACE WATER: Construction

IMPACT: Alteration of channel geometry would cause degradation in La Brea Creek during and after construction.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (USFS).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Potential significant impacts of pipeline construction would be increased sediment yield from areas disturbed during construction and localized channel aggradation/degradation. USFS Best Management Practices will be implemented on National Forest lands to reduce sediment yield.

Construction earthwork near the stream channel would create the potential for soil erosion and the subsequent increase of sediment loads in the stream. Construction activities in the stream channel would create the potential for additional sediment in the stream and changes in channel geometry. Geometry changes (reduction in the cross sectional area of the channel) would be significant because the result can be reduction in the ability of the channel to convey commonly occurring discharges. Aggradation or degradation of the channel may also occur.

A decrease in water quality would be expected due to a major increase in sediment loads during pipeline construction. The increase in sediment loads would be temporary and decrease to preconstruction levels within a short time (up to two weeks) after construction is completed. No significant impacts to stream water quality or irrigation water control structures are expected.

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Significant impacts to La Brea Creek would result from construction of the pipeline in La Brea Canyon. The canyon is narrow and winding, and the pipeline would have to cross the creek several times. The amount of disturbance to the stream channel could be large enough to change channel geometry and activate the channel. Sediment loadings would remain elevated until the channel reached a new average gradient. Both the change in channel geometry and elevated long-term sediment delivery would be significant impacts.

The USFS has jurisdiction over the route through LPNF and could require the following mitigation:

During pipeline construction at stream crossings, construction contractors should minimize time of disturbance and area disturbed, stabilize disturbed areas promptly, and divert runoff waters into settlement areas prior to discharge into a watercourse. Where construction activities are necessary in the channel, particularly La Brea Creek, the channel should be disturbed as little as possible and for as short a time as possible. (See Mitigation 4)

An increase in sediment loadings during construction of stream crossings is an unavoidable significant impact. Application of this measure will minimize the impact of construction at stream crossings.

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SURFACE WATER: Operation

IMPACT: Channel degradation could result in exposure of the pipeline and increase the possibility of an oil spill.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

The pipeline could be affected by scour and natural channel geometry changes over its operational life. During large flow events, the moving water could move large quantities of bed material (scour) or uncover the pipeline. This is undesirable not only because the possibility exists that a pipeline break may occur (only on the largest stream) but also because the pipe may act as a dam, catching trash and flooding surrounding areas. The following is a summary expected impacts to the major streams.

Crossed by the pipeline in California:

Santa Ynez River and La Brea Creek - If the pipeline were buried four feet below the 100 - year scour depth it is unlikely that any single runoff event would disturb the pipeline. Degradation of the channel is evident in the reach where the pipeline would be buried and it is possible that the pipeline could be disturbed during its operational life. The disturbance of the line would increase the likelihood of a rupture or change in channel conveyance, both significant impacts.

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Sisquoc River - Impacts on the Sisquoc River would be essentially the same as Santa Ynez River with the following exception. Gravel mining in the Sisquoc River channel downstream of the proposed pipeline crossing has resulted in continuing channel degradation. This degradation would increase the difficulty of burying the pipeline deep enough so that it would not be disturbed during its operational lifetime.

Cuyama River - Impacts would be similar to those described for the Santa Ynez River, with the exception that the channel is aggrading instead of degrading.

The burial depth of four feet below the scour of the 100-year, 24-hour storm runoff event is required by DOT regulations. This requirement minimizes the chances of possible pipeline breaks during large runoff events. Maintaining deep enough pipeline burial is important to minimizing the risk of an oil spill.

Because of the linear nature of the pipeline, many government agencies have land use responsibility and jurisdiction over the project and, thus, can require mitigation measures as part of a ROW or construction permit or grant. In California, Santa Barbara, San Luis Obispo, and Kern counties have jurisdiction over private lands along the pipeline route; the USFS has jurisdiction over the route through the LPNF; and BLM administers public (Federal) lands in the deserts. The California Department of Fish and Game has permit authority over all stream crossings in California.

The following mitigation measure is suggested which the appropriate agency (one of those previously listed) can require to reduce the impact of pipeline operation.

Mitigation 5 would require that pipeline operators check the pipeline burial depth yearly at major crossings identified in the EIR/EIS. At crossings where channel degradation has reduced the depth of fill to less than the 100-year scour depth, reburial of the pipeline to the proper depth will be required.

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SURFACE WATER: Operation

IMPACT: Major oil spills or leaks would degrade water quality below Federal and State standards. Impacts would occur at and downstream from any stream crossing.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (BLM; USFS; EPA; California Counties, CDFG).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

The most significant impact on surface water would result from crude oil spilled into a watercourse from a pipeline leak or rupture. A spill resulting from a small leak may involve as much as 500 barrels of oil before being detected. The amount of oil involved in a large spill would be the volume in the pipeline between the break and the nearest block and check valves on either side. The amount of oil which would flow through the line until the safety equipment shut the pipeline down must also be included. Oil spill volume estimates for sensitive streams range from 1,750 to 4,800 barrels. Small streams would be temporarily overwhelmed by this quantity of oil and larger streams would carry the oil many miles downstream.

Water quality would be degraded by more volatile fractions of the oil going into solution. Depending on the flow regime at the time of the spill, oil could be incorporated into the sediment or the stream bottom so that some oil would be released after the spill was originally cleaned up. Duration of the water quality impacts would probably be only a few weeks after the oil was cleaned up, particularly on larger

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streams with a large enough flow to dilute oil remaining after cleanup. Water polluted with crude oil would be unsuitable for domestic or irrigation use.

A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup.

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GROUND WATER: Operation

IMPACT: Potential degradation of groundwater quality resulting from an oil spill in a sensitive groundwater basin.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (California counties; USFS; BLM).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Significant groundwater impacts could occur primarily during operation of the pipeline. Impacts would include groundwater contamination by introduction of crude oil which would occur only in the event of pipeline leaks, ruptures, or spills. Although the probability of these events is low, their occurrence may be significant in terms of groundwater impacts. The greatest potential for groundwater problems is associated with small undetected leaks in the pipeline. This is due to the larger probability of occurrence and the relatively small amount of oil needed to contaminate a water supply, the long lasting effects of such a leak, and the difficulty of aquifer decontamination. Major spills, ruptures, and detectable leaks could probably be cleaned up before significant groundwater contamination results and have lower probabilities of occurrence than smaller leaks.

In California, Santa Barbara, San Luis Obispo, and Kern counties have jurisdiction over private lands along the pipeline route; the USFS has jurisdiction over the route through the LPNF; and BLM administers public (Federal) lands in the deserts.

Several mitigation measures follow which the appropriate agency can require to reduce the impact of pipeline operation:

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Detailed hydrogeologic investigations should be conducted for each sensitive area along the pipeline alignment as shown in Table 3-14 of the DEIR/EIS. These investigations should include definition of groundwater depth, recharge sources, properties of overlying soils, hydraulic gradient, background water quality and existing water uses. Existing wells should be inventoried in an area extending hydrogeologically down gradient from the pipeline 2 miles or in accordance with the formula as noted in Mitigation 6 of the FEIR/EIS. This information will be used to formulate the Oil Spill Contingency Plan that will include plans for monitoring and early detection of groundwater contamination, notification of affected groundwater users and appropriate governmental agencies, site-specific cleanup and response, and identification of emergency alternate water supplies.

In addition, low permeability backfill should be used in the bottom and sides of 20-foot sections of pipeline trench where the ROW approaches sensitive aquifers that are at risk from oil spills and leaks, as identified by Mitigation 6. (See Mitigation 7)

The application of mitigation measures and standard operating procedures is assumed to reduce the probability of significant impact to a sensitive groundwater basin by 50 percent; however, if a spill occurs which contaminates the groundwater, this would be an unavoidable significant impact.

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WATER FLOW	266

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AQUATIC BIOLOGY: Construction

IMPACT: Potential reduction in diversity and abundance of important fish species in Gaviota Creek, due to fuel or lubricant spills.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County; California Department of Parks and Recreation).

FACTS SUPPORTING FINDING:

A possible concern during construction would be a fuel or lubricant spill in the vicinity of a stream. However, the volume of fuel spilled should be relatively small (less than 40 gallons) which reduces the risk to aquatic organisms. If a spill does reach a stream containing important fish species significant impacts could occur due to direct toxicity or damage to important habitat. The extent of damage and duration would depend upon the volume of fuel or lubricant reaching the stream, physical characteristics of the stream, sensitivity of organisms present, and time of year.

Spills in small streams would likely be more persistent in their negative effects. After the oil has degraded, aquatic communities should be able to return to prespill conditions by recolonization from unaffected areas.

Santa Barbara County has jurisdiction over private lands along the pipeline route; California Department of Parks and Recreation administers Gaviota State Park.

The following mitigation measure is suggested which the appropriate agency can require to reduce the impact of pipeline operation.

In order to minimize impacts, fueling and lubrication of construction equipment should occur within 0.25 miles of streams. No more than 2 barrels of fuel (84 gallons) should be kept at construction sites within 0.25 miles of sensitive streams. Equipment will be periodically checked for leakage

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to avoid spills. (See Mitigation 8) This measure will substantially reduce the probability and frequency of fuel or lubricant spills greater than 40 gallons reaching streams.

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AQUATIC BIOLOGY: Operation

IMPACT: Potential reductions in diversity and abundance of important fish species in Gaviota Creek, due to a major oil spill.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County, USFS).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

The major concern during the operation of the pipeline would be an oil spill near or at stream crossings. Although the probability of occurrence (0.04-0.2 spills/year), use of automatic block valves and check valves, and required oil contingency plans indicate a low oil spill risk; if a spill occurred, impacts could be significant. The level of impact to aquatic resources in terms of duration and length of stream reach affected would depend upon the size of the spill, time of year, physical characteristics of the stream (e.g., bottom substrate, flow, channel configuration), cleanup and control techniques, and susceptibility of the dominant or important aquatic organisms to oil. Spills in small streams would likely be more persistent in their negative effects. After the oil has degraded, aquatic communities would be able to return to pre-spill conditions by recolonization from unaffected areas. The recovery period is usually several months for benthic macroinvertebrates and several months to two years for fish, except for sensitive species. Sensitive streams are those that contain fish considered to be important game fish, threatened rare or endangered, or native species in coastal streams. A major spill in any of these streams would be an unavoidable significant impact.

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A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup.

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AQUATIC BIOLOGY: Operation

IMPACT: Potential reductions in abundance of intertidal invertebrates, surface-feeding fish, and shore-birds in nearshore marine areas due to a major oil spill into Gaviota Creek.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County, USFS).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

A major oil spill into any of the coastal streams along the route could measurably affect nearshore marine communities downstream. Benthic macroinvertebrates, surface-feeding fish, and shorebirds would be the most sensitive species in nearshore marine areas. If a large spill occurred in the winter, the entire population of tidewater goby (a Federal candidate species) would be lost. A major spill in coastal streams reaching nearshore and estuarine habitats would cause unavoidable significant impacts.

A number of project components are discussed in the project description in the Draft EIR/EIS which will substantially decrease the oil spill risk or the amount of oil to be released in the event of a spill occurrence. For example, the proposed project includes the use of automatic block and check valves at all major stream crossings and sensitive areas. The use of such valves could isolate a section of pipeline in the event of a rupture and substantially reduce the amount of release of oil into the environment. In addition, prior to operation, an oil spill contingency plan for the entire project will be formulated and approved by the Environmental Protection

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Agency and authorities of the respective states. The oil spill contingency plan will include procedures for containment and cleanup.

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LAND USE AND RECREATION: Construction

IMPACT: Not consistent with Santa Barbara County Coastal Plan; -- Policy 6-17, crossing of Gaviota State Park.

- FINDING:
- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (Santa Barbara County; California Department of Parks and Recreation).
 - c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING FINDING:

Land Use Regulations and Plans - The siting and design of the pipelines would be consistent with adopted land use regulations and plans, with the following exceptions:

Santa Barbara County, Local Coastal Plan - the proposed project is not consistent with the following Coastal Plan policy:

Policy 6-17 - pipeline alignment generally avoids known important recreation, habitat, and archaeological areas. The only possible exceptions would be after the pipeline enters Gaviota State Park, which is under the jurisdiction of the California Department of Parks and Recreation. The Getty ROW would impact the US 101 Roadside Rest Area and for this reason it may not be consistent with this policy.

In many areas both the Celeron and Getty pipelines would parallel each other to form a 150-foot wide ROW corridor. Disturbance to land use especially in Gaviota State Park, environmentally sensitive habitat areas, and La Brea Canyon could be reduced if both lines are constructed in the same ROW. This would be consistent with existing Santa Barbara County and Forest Service land use regulations. (See Mitigation 28)

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