

MINUTE ITEM
This Calendar Item No. 47
was approved as Minute Item
No. 47 by the State Lands
Commission by a vote of 3
to 0 at its 1-21-88
meeting.

CALENDAR ITEM

A 35
S 18

47

01/21/88
WP 4977 PRC 7162
Louie PRC 7163
Small

CONSIDERATION OF A GENERAL LEASE - INDUSTRIAL USE
AND A GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Exxon Corporation
P.O. Box 5025,
225 W. Hillcrest
Thousand Oaks, California 91359

AREA, TYPE LAND AND LOCATION:

A 268-acre and a 304-acre parcel of tide and submerged land in the Pacific Ocean at Las Flores Canyon near El Captian State Beach, Santa Barbara County. Acreage includes temporary construction areas.

LAND USE:

Installation and operation of a single point mooring facility and pipelines for the transport of oil from onshore storage facilities (marine terminal lease) and a crude oil/water emulsion pipeline, three power cables and a produced water outfall (pipeline right-of-way lease) extending from shore out to Applicant's OCS Santa Ynez Unit leases.

TERMS OF PROPOSED MARINE TERMINAL LEASE:

Initial period: 34 years beginning
February 1, 1988.

Surety bond: \$1,000,000.

Public liability insurance: Combined single
limit coverage of \$10,000,000
or Lessee may elect to be
self-insured.

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RENTAL CONSIDERATION:

\$190,000 per annum prior to construction;
\$400,000 per annum upon the sooner of
February 1, 1991 or the calendar year in
which construction commences; \$775,000 per
annum upon the sooner of February 1, 1992
or the calendar year in which operation
commences; thereafter, on each subsequent
anniversary date the permanent annual
rental shall be the greater of a base
annual rent in the amount of \$775,000 or
said base rent as modified by the Gross
National Product Implicit Price Deflator.
Should the State develop an accepted
appraisal methodology within the first four
years of the lease, then the base annual
rental shall be modified at Lessee's
request according to that methodology
effective on the next anniversary date of
the lease, and shall not be retroactive.
The State reserves the right to fix a
different rental on each fifth anniversary
of the lease.

TERMS OF PROPOSED PIPELINE RIGHT-OF-WAY LEASE:

Initial period: 34 years beginning
February 1, 1988.

Surety bond: \$1,000,000.

Public liability insurance:
Combined single limit
coverage of \$2,000,000 or
Lessee may elect to be
self-insured.

RENTAL CONSIDERATION:

\$70,000 per annum prior to construction;
\$75,000 per annum upon the sooner of
February 1, 1991 or the calendar year in
which construction commences; \$100,000 per
annum upon the sooner of February 1, 1992
or the calendar year in which operation
commences; thereafter, on each subsequent
anniversary date of the lease, annual rent
shall be the greater of a base annual rent
of \$100,000 or said base rent as modified
by the Gross National Product Implicit
Price Deflator. The State reserves the
right to fix a different rental on each
fifth anniversary of the lease.

BASIS FOR CONSIDERATION.

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div 3; Title 14,
Div. 6.

AB 884:

03/12/88.

OTHER PERTINENT INFORMATION:

EXXON SANTA YNEZ UNIT DEVELOPMENT PROJECT

Exxon has several contiguous federal oil and gas leases located in the Santa Barbara Channel which are being developed as the Santa Ynez Unit (SYU). To complete its development of the SYU, Exxon wants from the State a right-of-way for a 20 to 26-inch wet oil emulsion line, a 12-inch produced-water outfall line, three power cables, and an offshore marine terminal consisting of a single anchor leg mooring with a 48-inch crude oil line, two 18-inch vapor recovery lines, and hydraulic and electric control lines. Exxon has filed an application for a lease for these facilities.

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BACKGROUND - OCS DEVELOPMENT

Exxon currently has one platform (Hopdo) producing from this unit. The oil production is processed and stored in an offshore storage and treatment vessel (OS&T) located just outside the three-mile limit in federal waters. The OS&T was constructed after Exxon was unable to reach an agreement with the County of Santa Barbara and the Coastal Commission for onshore oil processing and transportation facilities.

Gas production is transported to shore via an existing pipeline constructed by Pacific Offshore Pipeline Company (POPCO) which is a co-lessee with Exxon under State Lease PRC 4977. Lease PRC 4977, which began January 1, 1975, also authorized the construction of an offshore marine terminal approximately 5,000 feet from shore. That terminal was never constructed and the construction completion date of December 31, 1982, specified in the lease, has passed. The State Lands Commission, on September 23, 1982, authorized a letter to Exxon which provided that the State would take no action to terminate Exxon's rights under PRC 4977 before December 31, 1984. Exxon and POPCO have continued to pay annual rental in the amount of \$75,000 under PRC 4977. Under the terms of the new leases, Exxon will quitclaim its interest in Lease PRC 4977.

Exxon has been attempting for several years to expand its offshore development. The proposed OCS development is expected to amount to 300 to 400 million barrels of crude oil and 600 to 700 billion standard cubic feet of natural gas. Recovery would take place over a period of 25 to 35 years. Proposed platforms Harmony and Heritage will be installed in 1989 and Platform Heather will be installed after 1994.

The federal oil and gas leases to Exxon/POPCO in the unit predate the 1978 amendments to the Outer Continental Shelf Lands Act and thus are not subject to the sharing provisions of Section 8(g) of the Act. Thus, the State receives no direct revenue from the SYU development.

DISPUTE WITH THE COUNTY OF SANTA BARBARA

Negotiations between the County and Exxon have been going on for several years regarding an onshore processing facility and marine terminal. The primary difference of opinion between the County and Exxon has been whether or not the County had authority to impose air emission offset requirements for air emissions generated on the facilities located in federal waters. Exxon's position was that the County, acting as the Air Pollution Control District, had no authority over OCS air emissions. Exxon, therefore, sued the County in Federal Court.

A settlement agreement with the County to resolve the issue was reached in November 1985, and supplemented in February 1986. However, the County Board of Supervisors, in September 1986, acted to require Exxon to provide offsets and, in Exxon's opinion, breached the settlement agreement.

SETTLEMENT WITH THE COUNTY

Exxon has settled its differences with the County of Santa Barbara. On September 15, 1987, the County approved the Final Development Plan for Exxon's Santa Ynez Unit Project. The Development Plan includes the following project elements:

Offshore Components

- o Three new drilling and production platforms on the Hondo, Pescado, and Sacate oil and gas fields on OCS lands;
- o Offshore pipelines for gas, oil/water emulsion, and a produced-water outfall;
- o Electrification of the platforms and the use of offshore power distribution cables;
- o A Single Anchor Leg Mooring (SALM) and associated vapor balance pipelines and service bundle for tanker loading.

Onshore Components

- o A new stripping gas treating facility capable of processing a peak of 21 million standard cubic feet per day (MSCFD) of sour gas;
- o A new Natural Gas Liquids/Liquid Petroleum Gas (NGL/LPG) storage and loading facility on a new consolidated site in Corral/Las Flores Canyons;
- o A new oil treating facility in Corral/Las Flores Canyons with 140 thousand barrels per day (kBD) capacity;
- o A new transportation terminal facility which will be phased to initially accommodate pipeline transport of the dry oil, and then at a later date, if needed, the facility will be expanded to include the marine transport facilities;
- o 540 thousand barrels (kB) dry oil storage facilities;
- o A 49 megawatt (MW) cogeneration power plant;
- o Utility systems including a produced-water treating facility;
- o Site development for an All American Pipeline pump station and new electric substation (both facilities permitted by others);
- o Onshore pipelines and power cables.

Proposed facilities are designed for an estimated peak SYU production rate of 140 kBD of oil and 75 MSCFD of natural gas (60 MSCFD through the existing POPCO gas plant and 15 MSCFD of offshore gas processed through the Stripping Gas Treating Plant) as well as an additional six (6) MSCFD of sour gas produced by the onshore oil treating facility.

Project modifications made by Exxon which satisfy the County include the following changes.

- o Full electrification of the three proposed OCS platforms;

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- o A 49 megawatt cogeneration plant in Las Flores Canyon (rather than a 25 megawatt plant);
- o Deferral of the third new platform (Platform Heather) until after peak air emissions from installation of the first two platforms have passed;
- o Fewer supply and crew boat trips and use of cleaner boats;
- o Reduction of Platform Hondo emissions and its associated boat emissions, as well as the elimination of the OS&T, as an existing emissions source;
- o Exxon's sponsorship of a technology-advancing study aimed at reducing nitrogen oxide emissions associated with construction activities; and,
- o Relocation of the produced-water outfall from nearshore (6,000 ft. offshore) to Platform Harmony (33,500 ft. offshore).

PROPOSED PROJECT ON STATE LAND

Exxon has submitted an application for the construction of a proposed 20 to 26-inch diameter wet oil emulsion line, a 12-inch diameter produced water outfall, and three (3) power cables, which will extend from Exxon's OCS leases to shore. The SYU pipelines will cross UNOCAL's State oil and gas Lease PRC 2991, Phillips' Oil and Gas Lease PRC 2955 and Lease PRC 2198 which has been quitclaimed back to the State.

Exxon also proposes to install a single anchor leg mooring (SALM) and a 48-inch crude loading line approximately 11,250 feet from shore, along with two 18-inch vapor recovery lines and hydraulic and electric control lines. The SALM will be located on UNOCAL's State oil and gas lease PRC 2991.

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PROPOSED MARINE TERMINAL LEASE AND PIPELINE RIGHT-OF-WAY
LEASE TERMS AND CONDITIONS

Exxon's application is requesting a lease for marine terminal facilities and an oil emulsion pipeline, produced water outfall and electric cables serving its offshore platforms in federal waters. For administrative convenience, staff is recommending a lease for the marine terminal and its associated pipelines and a separate pipeline lease for the oil emulsion line, produced water outfall and electric cables serving the Applicant's CCS platforms.

However, the mutual covenants and consideration provided in the marine terminal lease are part of the consideration for the pipeline lease, and similarly, the mutual covenants and consideration of the pipeline lease are part of the consideration for the marine terminal lease.

Special terms and conditions in the marine terminal lease and the pipeline lease will include the following:

1. Open and nondiscriminatory access will be provided to excess storage and throughput capacity of the marine terminal, including upland storage tanks and shipping facilities. If excess capacity does not exist for a qualified user and such potential user has been unsuccessful in obtaining other onshore storage facilities, Applicant will prorate all oil using the facility, including the prospective user's, to accommodate the prospective user.

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2. Open and nondiscriminatory access will be provided to excess capacity of the emulsion pipeline and the produced water outfall. If excess capacity does not exist in the emulsion line for a qualified user and such potential user has been unsuccessful in constructing a pipeline in a county designated onshore corridor, Applicant will prorate all emulsion in the pipeline to accommodate the prospective user. Applicant will provide a tie-in facility on the emulsion pipeline and develop a tie-in policy to be approved by the State. If excess capacity is not available in the produced water outfall, access will be provided to increase handling capacity. Applicant will also provide open and nondiscriminatory access to excess capacity of any oil pipelines serving oil-processing facilities at Lompoc, if such lines are built.
3. Applicant must demonstrate throughout the term of the marine terminal lease that a continued need exists for the full use of the marine terminal.
4. Should marine terminal operations physically interfere or pose unacceptable safety risks with development of certain State oil and gas leases or be a substantial basis for government action which prevents certain State oil and gas lessees from exploration and development on State lands, then the marine terminal lease may be terminated if a resolution of the interference problem is not reached.
5. Consistent with similar obligations agreed to by UNOCAL for the Pt. Pedernales pipeline, the Point Arguello Pipeline Company, and the Gaviota Terminal Company, Applicant agrees to participate in an environmental mitigation program by providing funds for an ocean current and weathering monitoring system. Applicant's contribution will not exceed \$468,000 for the marine terminal lease and \$570,000 for the pipeline lease, provided an implementation plan for the area wide ocean current and weather monitoring system is adopted by the Commission by December 31, 1995.

6. The mutual covenants and consideration provided in the marine terminal lease are part of the consideration of the pipeline lease and similarly, the mutual covenants and consideration provided in the pipeline lease are part of the consideration of the marine terminal lease. Should a significant provision of either lease be deliberately breached, the State may terminate both leases.
7. The marine terminal lease and the pipeline lease require the submission of as-built reports including the results of a low-energy geophysical survey to locate the exact position of the authorized improvements. External inspections of the pipelines will be required annually using side scan sonar or other technique acceptable to the State.

In addition, Applicant must conduct marine biological survey(s) of the construction corridors prior to and following construction. These surveys will be conducted by divers and diving equipment.

ENVIRONMENTAL REVIEW

An EIR, two (2) supplemental EIR's, and two (2) EIR Addendums were prepared and adopted for this project by the County of Santa Barbara. The State Lands Commission was a member of a joint review panel for the original EIR/EIS which was headed by the County of Santa Barbara as the CEQA Lead Agency. In addition, pursuant to a settlement agreement between the State Lands Commission and the County of Santa Barbara, the State Lands Commission has prepared an additional supplemental EIR to examine cumulative impacts associated with the proposed Exxon Santa Ynez Unit (SYU) offshore oil and gas development, onshore processing facilities, offshore marine terminal, and other facilities which might be developed on State lease PRC 2991. The supplemental EIR also covers recent changes made by Exxon in the project, specifically the produced water outfall which has been extended to one of the offshore platforms. Issues discussed in the supplemental EIR include the following:

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1. The cumulative inert air quality impacts caused by a consolidated oil and gas processing facility in Las Flores Canyon and appurtenant facilities capable of processing 220,000 bpd of oil and 250,000,000 mcf of gas, the Exxon Las Flores Canyon marine terminal and oil storage facility, and a hypothetical producing oil and gas platform with partial offshore oil dehydration located on State Oil and Gas Lease PRC 2991;
2. A marine traffic analysis on the cumulative interactions between marine terminal traffic, a hypothetical platform located on State lease PRC 2991, and marine traffic associated with such developments; and
3. The marine biological analysis of the impacts of the seaward extension of the produced-water outfall pipeline.

The State Lands Commission staff has reviewed the County's EIR's and the supplemental EIR prepared for the State Lands Commission and has identified, in Exhibit "D", significant environmental effects which the Commission will be considering.

This activity involves lands identified as possessing significant environmental values pursuant to PRC 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with the use classification.

Pursuant to Public Resource Code Section 6818, the staff submitted to the Director of Parks and Recreation and the Attorney General a summary letter identifying the Applicant's proposed installation of permanent structures. The potential impacts and interference on the recreational use had been analyzed in the environmental documents prepared for the project.

APPROVALS OBTAINED:
County of Santa Barbara.

FURTHER APPROVALS REQUIRED:
California Coastal Commission, United States Army
Corps of Engineers, United States Coast Guard.

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EXHIBITS:

- A. Land Description - Marine Terminal Lease.
- B. Land Description - Pipeline Lease.
- C. General Location Map.
 - 1. Project Site Map.
- D. CEQA Findings.
- E. Mitigation Measures Required by the Commission.
- F. Land Description for Quitclaim of Lease PRC 4977.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINAL EIR/S, SUBSEQUENT SUPPLEMENTALS AND ADDENDUMS PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF SANTA BARBARA AS CEQA LEAD AGENCY HAVE BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
2. CERTIFY THAT A SUPPLEMENTAL EIR, STATE CLEARINGHOUSE NO. 83030805, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. ADOPT THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ITS GUIDELINES WHICH ARE HEREIN ATTACHED AS EXHIBIT "D".
4. FIND THAT THE PROJECT, AS PROPOSED, WILL HAVE A SIGNIFICANT EFFECT UPON THE ENVIRONMENT, THAT SIGNIFICANT IMPACTS ON THE ENVIRONMENT ARE REDUCED TO THE MAXIMUM EXTENT FEASIBLE, AND THAT THE BENEFITS OF THE PROJECT OUTWEIGHT ITS REMAINING SIGNIFICANT ENVIRONMENTAL EFFECTS.
5. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
6. AUTHORIZE ISSUANCE TO EXXON CORPORATION OF A 34-YEAR GENERAL LEASE - INDUSTRIAL USE BEGINNING FEBRUARY 1, 1988, SUBSTANTIALLY IN THE FORM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND INCLUDING THE MITIGATION MEASURES SPECIFIED IN EXHIBIT "E"; IN CONSIDERATION OF THE MUTUAL TERMS AND CONDITIONS PROVIDED FOR IN THE PIPELINE LEASE AS RECOMMENDED IN PARAGRAPH 7 BELOW; AND IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$190,000 PER ANNUM PRIOR TO CONSTRUCTION; \$400,000 PER ANNUM UPON THE

SOONER OF FEBRUARY 1, 1991 OR THE CALENDAR YEAR IN WHICH CONSTRUCTION COMMENCES; \$775,000 PER ANNUM UPON THE SOONER OF FEBRUARY 1, 1992 OR THE CALENDAR YEAR IN WHICH OPERATION COMMENCES; THEREAFTER, ON EACH SUBSEQUENT ANNIVERSARY DATE OF THE LEASE, ANNUAL RENTAL SHALL BE THE GREATER OF A BASE ANNUAL RENT IN THE AMOUNT OF \$775,000 OR SAID BASE RENT AS MODIFIED BY THE GROSS NATIONAL PRODUCT IMPLICIT PRICE DEFLATOR. SHOULD THE STATE DEVELOP AN ACCEPTED APPRAISAL METHODOLOGY WITHIN THE FIRST FOUR YEARS OF THE LEASE, THEN THE BASE ANNUAL RENTAL SHALL BE MODIFIED AT LESSEE'S REQUEST ACCORDING TO THAT METHODOLOGY EFFECTIVE ON THE NEXT ANNIVERSARY DATE OF THE LEASE. THE STATE RESERVES THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$10,000,000 OR PROOF OF SELF-INSURANCE ACCEPTABLE TO THE STATE; FOR INSTALLATION AND OPERATION OF AN OFFSHORE MARINE TERMINAL AND APPURTENANT PIPELINES AND HYDRAULIC AND ELECTRICAL CONTROL LINES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

7. AUTHORIZE TO EXXON COMPANY, U.S.A, OF A 34-YEAR GENERAL LEASE - RIGHT-OF-WAY USE BEGINNING FEBRUARY 1, 1988, SUBSTANTIAL; IN THE FORM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND INCLUDING THE MITIGATION MEASURES SPECIFIED IN EXHIBIT "E"; IN CONSIDERATION OF THE MUTUAL TERMS AND CONDITIONS PROVIDED FOR IN THE MARINE TERMINAL LEASE AS RECOMMENDED IN PARAGRAPH 6 ABOVE AND IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50,000 PER ANNUM PRIOR TO CONSTRUCTION; \$75,000 PER ANNUM UPON THE SOONER OF FEBRUARY 1, 1991 OR THE CALENDAR YEAR IN WHICH CONSTRUCTION COMMENCES; \$100,000 PER ANNUM UPON THE SOONER OF FEBRUARY 1, 1992 OR THE CALENDAR YEAR IN WHICH OPERATION COMMENCES; THEREAFTER, ON EACH SUBSEQUENT ANNIVERSARY DATE OF THE LEASE THE ANNUAL RENTAL SHALL BE THE GREATER OF A BASE ANNUAL RENT IN THE AMOUNT OF \$100,000 OR SAID BASE RENT AS MODIFIED BY THE GROSS NATIONAL PRODUCT IMPLICIT PRICE DEFLATOR WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$2,000,000 OR PROOF OF SELF-INSURANCE ACCEPTABLE TO THE STATE; FOR INSTALLATION AND OPERATION OF AN OIL EMULSION PIPELINE, A PRODUCED WATER OUTFALL AND THREE ELECTRICAL CABLES ON THE LAND DESCRIBED ON EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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8. FIND THAT THE PROJECT, AS PROPOSED BY THE APPLICANT, ALONG WITH THE ENVIRONMENTAL MITIGATION MEASURES AGREED TO BY APPLICANT WITH THE COMMISSION AND OTHER PERMITTING AGENCIES HAVE AVOIDED, OR SUBSTANTIALLY REDUCED, ANY INTERFERENCE TO RECREATIONAL USES AND NEARBY STATE PARKS.
9. AUTHORIZE THE ACCEPTANCE OF A LEASE QUITCLAIM DEED EFFECTIVE FEBRUARY 1, 1988, COVERING EXXON'S INTEREST IN LEASE PRC 4977.1, ON THE LAND DESCRIBED ON EXHIBIT "F" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
10. AUTHORIZE COMMISSION STAFF TO APPROVE ALL CONSULTANTS AND TECHNICAL INFORMATION TO BE SUBMITTED BY THE APPLICANT AS REQUIRED IN THE MARINE TERMINAL AND PIPELINE LEASES AND THEIR ASSOCIATED ENVIRONMENTAL MITIGATION MEASURES.

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EXHIBIT "A"

LAS FLORES CANYON
CONSOLIDATED MARINE TERMINAL

LAND DESCRIPTION

WP 4977

Two parcels of land lying in the bed of the Santa Barbara Channel, in the vicinity of El Capitan, County of Santa Barbara, State of California, being more particularly described as follows:

PARCEL 1:

A parcel of tide and submerged land being described as follows:

BEGINNING at Station 81 of the mean high tide line of the Pacific Ocean per the survey thereof filed at the request of the State Lands Commission in Book 41 of Miscellaneous Maps at Pages 12 to 50, inclusive, Records of said County (California Coordinate System of 1927, Zone 5 Coordinates: X = 1,384,252 and Y = 356,700), from which a California Highway Monument at "42+83.48 E.C." as shown on said survey bears N 68°34'27" E, 1,220.46 feet (California Coordinate System of 1927 Zone 5 Coordinates of said monument: X = 1,385,388.11 and Y = 357,145.83) and from which another State Highway Monument bears N 45°32'41" W, 376.58 feet; thence the following 10 courses:

1. N 80°34'19" E, 44.11 feet along said mean high tide line;
2. S 23°46'33" E, leaving said mean high tide line, 2,288.27 feet;
3. N 66°13'27" E, 125.00 feet;
4. S 23°46'33" E, 12,147.93 feet;
5. S 66°13'27" W, 200.00 feet to a point (California Coordinate System of 1927, Zone 5 Coordinates X = 1,390,046.96 and Y = 343,465.99) designated as the center of the mooring facility;
6. S 66°13'27" W, 200.00 feet;
7. N 23°46'33" W, 12,147.93 feet;
8. N 66°13'27" E, 125.00 feet;
9. N 23°46'33" W, 2,301.85 feet to a point in said mean high tide line;
10. N 67°38'17" E, 107.30 feet along said mean high tide line to the point of beginning.

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PARCEL 2:

A circular parcel of submerged land having a radius of 1,500.00 feet, the center of which has California Coordinate System of 1927 Zone 5 Coordinates X = 1,390,046.96 and Y = 343,465.99, as described in Parcel 1 above.

EXCEPTING THEREFROM any portion lying within Parcel 1.

EXCEPTING FROM above described Parcels 1 and 2 any portion lying landward of the ordinary high water mark.

All bearings and distances in this document conform with the California Coordinate System of 1927, Zone 5, the corresponding geodetic distance is obtained by multiplying the grid distance of 1.0000652.

END OF DESCRIPTION

REVIEWED JANUARY 13, 1988 BY BIU 1.

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EXHIBIT "B"

PIPELINE RIGHT OF WAY FOR SANTA YNEZ
UNIT PRODUCTION PLATFORMS

LAND DESCRIPTION

WP 4977

A parcel of tide and submerged land lying in the bed of the Santa Barbara Channel, in the vicinity of El Capitan, County of Santa Barbara, State of California, being more particularly described as follows:

COMMENCING at Station 81 of the mean high tide line of the Pacific Ocean per the survey thereof filed at the request of the State Lands Commission in Book 41 of Miscellaneous Maps at Pages 12 to 50, inclusive, records of said County (California Coordinate System of 1927 Zone 5 Coordinates: X = 1,384,252 and Y = 356,700), from which a California Highway Monument at "42.83.48 E.C." as shown on said surveys bears N 68°34'27" E, 1,220.46 feet (California Coordinate System of 1927 Zone 5 Coordinates of said monument: X = 1,385,388.11 and Y = 357,145.83) and from which another State Highway Monument bears N 45°32'41" W, 376.58 feet; thence S 67°38'17" W, along said mean high tide line 16.30 feet to the TRUE POINT OF BEGINNING; thence the following 15 courses:

1. S 67°38'17" W, along said mean high tide line, 158.43 feet;
2. S 03°34'58" E, leaving said mean high tide line, 2,074.50 feet;
3. S 86°25'02" W, 175.00 feet;
4. S 03°34'58" E, 544.79 feet;
5. S 45°52'32" W, 16,761.05 feet to the beginning of a tangent curve to the right;
6. thence along said curve, having a radius of 8,750.00 feet and a delta of 11°52'54", 1,814.52 feet to the end of said curve;
7. thence tangent to said curve S 57°45'26" W, 5,429.97 feet, more or less, to a point on the offshore boundary of the State of California as determined according to the decree entered by the United States Supreme Court in United States v California, Original No. 5, on January 31, 1966, 382 US 448;
8. thence along a nontangent curve to the left and said boundary, the radial center of which bears N 15°37'16" E, having a radius of 18,228.31 feet, and a delta of 1°17'05", 408.73 feet;

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9. N 57°45'26" E, 5,694.98 feet;
10. S 45°52'32" W, 4,789.31 feet, more or less to point on said boundary of the State of California;
11. thence along a nontangent curve to the left and said boundary, the radial center of which bears N 09°54'08" E, having a radius of 18,228.31 feet, and a delta of 1°10'26", 373.47 feet,
12. N 45°52'32" E, 22,875.25 feet;
13. N 30°34'58" W, 798.53 feet;
14. S 86°25'02" W, 175.00 feet;
15. N 03°34'58" W, 2,125.50 feet to a point on said mean high tide line and the point of beginning;

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

All bearings and distances in this document conform with the California Coordinate System of 1927, Zone 5, the corresponding geodetic distance is obtained by multiplying the grid distance by 1.0000652.

END OF DESCRIPTION

REVIEWED JANUARY 13, 1988, BY BIU 1.

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NAVY PAGE	354

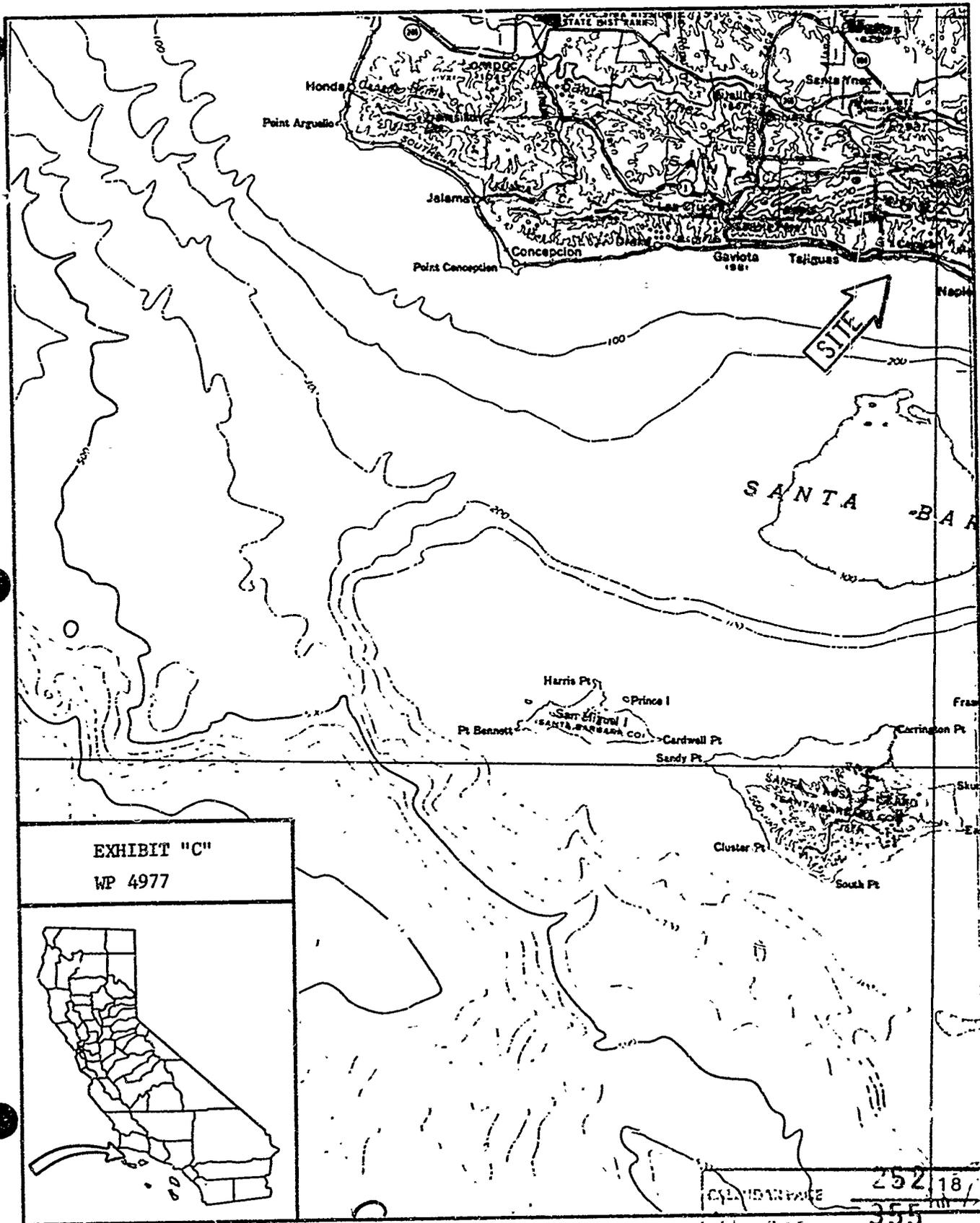
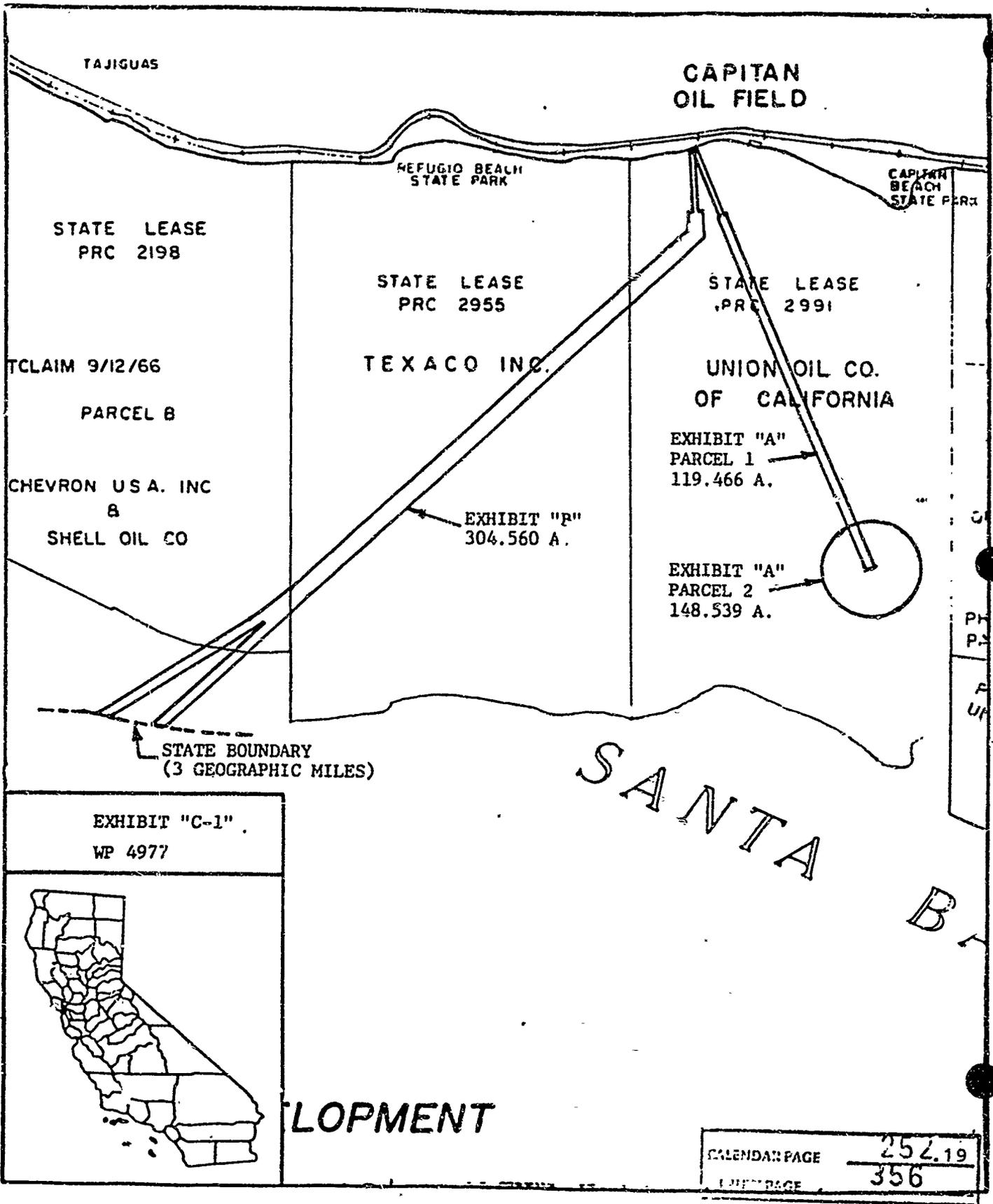


EXHIBIT "C"
 WP 4977

SCALE BAR	252 18
INCHES	355



TAJIGUAS

CAPITAN OIL FIELD

REFUGIO BEACH STATE PARK

CAPITAN BEACH STATE PARK

STATE LEASE
PRC 2198

STATE LEASE
PRC 2955

STATE LEASE
PRC 2991

CLAIM 9/12/66

TEXACO INC.

UNION OIL CO.
OF CALIFORNIA

PARCEL B

EXHIBIT "A"
PARCEL 1
119,466 A.

CHEVRON U.S.A. INC
&
SHELL OIL CO

EXHIBIT "P"
304,560 A.

EXHIBIT "A"
PARCEL 2
148,539 A.

STATE BOUNDARY
(3 GEOGRAPHIC MILES)

SANTA BAY

EXHIBIT "C-1"
WP 4977



DEVELOPMENT

CALENDAR PAGE	252.19
LITERATURE PAGE	356

EXHIBIT D

- D.1 CEQA Findings
- D.2 Statement of Overriding Considerations
- D.2 CEQA Findings Adopted by County
of Santa Barbara and Incorporated
Herein By Reference

CALENDAR PAGE	252.20
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FINDING

IMPACT: SALM and offshore pipelines cause temporary and permanent loss of access to set gear fishing grounds for commercial fishing interests.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Construction and operation of the SALM would cause temporary and permanent loss of set gear fishing grounds. Set gear fishing would be excluded from a 2 mile wide area during construction of the SALM and pipelines for about 1 year. This area would be reduced during operation. Economic loss to fisherman would occur because urchins, abalone, crab, lobster, halibut, and shark could not be harvested in the excluded area.

This impact can be mitigated to insignificance with the following:

- 1) Exxon will be required to contribute to a Fisheries Enhancement Fund. This fund is used to provide artificial reefs, other fishing opportunities, and other fishery enhancement programs. It's intent is to provide other opportunities to commercial fisherman who are displaced by oil and gas development.
- 2) Exxon will be required to contribute to the local Fishermen's Contingency Fund, for the purpose of compensating fishermen for lost gear and other supplies as a result of the Exxon activities.
- 3) Construction of the SALM and pipelines could be restricted to the period from mid July to mid September. However, this restriction would conflict with other mitigation measures for air quality, recreation, and lobster fisheries described herein. As such this measure is not adopted.

FINDING

IMPACT: Commercial drift gill net fishing grounds reduced by construction activities.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Construction activities were identified in the final EIR as restricting drift gill net fishing. This impact will be substantially reduced by Exxon contributing to a Fisheries Enhancement Fund.

FINDING

IMPACT: Commercial fishing dragging grounds reduced during construction of pipelines.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Construction of pipelines is predicted in the final EIR to cause a short-term exclusion of drag fishing activities. Commercial fishing interests are expected to suffer an economic loss because of loss of catch of spot prawn, rockfish, and halibut. Impacts are expected during the period of pipeline construction.

These impacts are mitigable to insignificance by the following:

- 1) Exxon contributing to a Fisheries Enhancement Fund
- 2) Exxon will prepare and submit a construction management plan to the Commission which minimizes the period of time for construction.
- 3) All construction equipment, anchors, and mooring buoys will be removed from the construction area within 3 months of the completion of construction.
- 4) The exact location and configuration of all seafloor modifications resulting from construction will be published in a notice to commercial fisherman from the commercial fishermen liaison's office. This will allow commercial fishermen to avoid the obstructions.

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FINDING

IMPACT: Loss of commercial and recreational fishing time in the event of an accidental oil spill.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Moderate to large oil spills from the project could effect commercial and recreational fishing interests as a result of the exclusion of fishing grounds, closure of ports, fouling of fishing gear, and permanent loss of fishing areas.

No mitigation measures are available which will entirely eliminate or substantially reduce the impacts of an oil spill. However, the following mitigation measures are required which will substantially reduce the impact:

- 1) Exxon will have an oil spill containment plan and critical operations and curtailment plan which will be approved by the State Lands Commission. These plans will: a) specify the equipment Exxon will provide for oil spill containment and cleanup, 2) direct the operation for clean up, and 3) specify operational conditions which will be avoided or when activities will be terminated. Separate plans will be prepared for the oil and gas production facilities and marine transportation facility.
- 2) Exxon will contribute to the local Fishermen's Contingency Fund for the purpose of compensating commercial fishing interests for loss of fishing time and loss of gear.
- 3) Exxon will contribute to a Fisheries Enhancement Fund.

FINDING

IMPACT: Cumulative interference with kelp harvesting due to the presence of piers and vessel traffic through the kelp beds.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Kelp harvesting could be adversely impacted by the Getty, Shell, and other projects which have structures connecting to shore, offshore facilities, and vessel traffic through the kelp beds.

Mitigation measures which will reduce the level of this impact to insignificance are:

- 1) Consolidation of oil and gas operation support facilities where possible.
- 2) Establishment of vessel traffic lanes through the kelp beds which restrict vessels to a 150 foot corridor.
- 3) Contributions by all oil operators to a program to restore and/or establish kelp in other areas.
- 4) Maintenance of a supply base at Port Hueneme versus sites with kelp canopy.
- 5) Use of helicopter transportation for crews, where feasible.

Exxon is required to do 1, 2, and 5 of the above to mitigate their project. Exxon is also required to restore kelp bed disturbance resulting from their project.

SALE CHARGE	252.20e
EXCESS CHARGE	362

FINDING

IMPACT: Cumulative loss of commercial drag fishing grounds due to oil and gas development, oil and gas exploration, and offshore construction.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Commercial drag fishing grounds are cumulatively affected by activities in the offshore area. The Exxon project proposes the addition of 3 new platforms, pipelines, and a marine terminal in the offshore area. In addition there are 34 existing, proposed, or postulated platforms in the offshore Santa Barbara Channel and southern Santa Maria basin along with numerous other offshore facilities. These facilities along with temporary obstructions such, as offshore oil and gas exploration and offshore construction have a significant environmental impact due to exclusion of commercial drag fishing grounds.

Mitigation measures which substantially eliminate this impact are:

- 1) Contributions to a Fisheries Enhancement Fund by operators whose activities exclude commercial fishing.
- 2) Limitations on the amount of time required for temporary activities in the offshore area.
- 3) Minimization of seafloor modifications and disturbance through the use of the best available construction techniques, consolidation and collocation of facilities where possible, and facilities site planning.
- 4) Establishment and enforcement of designated support vessel corridors.

Exxon is required to incorporate these measures to the maximum extent feasible into their project.

FINDING

IMPACT: Cumulative loss of set-gear fishing grounds due to exploration, oil and gas development and offshore construction.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

The final EIR identifies the cumulative loss of commercial set gear fishing areas due to permanent and temporary obstructions as a significant impact. This effect is felt from Point Sal to Port Hueneme. Mitigation addressed in the previous finding for set-gear project specific impacts are required of Exxon and will reduce this impact to insignificance.

FINDING

IMPACT: Cumulative loss of kelp and interference with harvesting; loss on nearshore set-gear fishing grounds due to support vessel traffic; and, interference with drift fishing due to support vessel and tanker traffic.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Increased support vessel and tanker traffic could have significant impacts on commercial fishing, particularly set-gear and drift fisheries depending upon whether traffic corridors are established for all vessels.

Increased support vessel traffic could have significant impacts on the kelp industry unless common designated corridors are established for all vessels.

Mitigation measures which reduce this impact to insignificance are:

- 1) Establish and enforce usage of common designated vessel traffic routes from support bases out to the 30 fathom contour and throughout the Santa Barbara Channel for all projects to minimize interference with kelp harvesting and commercial fishing. Exxon is required to participate in such a program.
- 2) Exxon is required to consolidate support bases and marine terminal facilities.
- 3) Exxon is required to maintain the marine terminal as a consolidated common carrier facility for use by all transporters of oil produced in the Santa Barbara area and along the Central California Coast from Port San Luis to the Los Angeles-Ventura County line.
- 4) Schedule tanker traffic directly from the VTSS to the consolidated marine terminal for daytime only during drift gill net season. This measure is infeasible since drift gill netting occurs year round.
- 5) Exxon is required to participate in or implement a support vessel operators training program to inform

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DATE DEPOSED	365

vessel operators of commercial fishing activities and
how to recognize and avoid commercial fishing
operations.

CALL NUMBER PAGE	252 201
FILE NUMBER	366

FINDING

IMPACT: Cumulative impacts to air quality due to: 1) the construction and operation of a platform and pipelines on lease 2991 and 2) the operation of the Exxon marine terminal and consolidated onshore processing facility.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Exceedances of federal and state air quality requirements are expected from construction and operation of an oil and gas platform on lease 2991 in combination with the facilities onshore and in State waters associated with the Exxon SYU project. These include exceedances of the 24 hour NO₂ PSD increment, the 24 hour SO₂ PSD increment, the 1 hour PSD increment for TSP, the 24 hour PM-10 standard, the 24 hour PSD increment for TSP, and exceedance of the annual California standard for PM-10 emissions.

The SO₂ impact can be reduced to insignificance if the construction activities for the platform and other facilities occur at different times rather than concurrently. No other mitigation are available to reduce other air quality impacts to insignificance.

The no project alternative eliminates this impact. If the platform is proposed on lease 2991, the Commission should also consider electrification of the platform, moving of the platform to a different location, and onshore processing of oil and gas onshore as alternatives. The use of one or more of these alternatives to the platform on lease 2991 could lessen the effects identified in the final EIR.

DATE	252.203
NUMBER	367

FINDING

IMPACT: Irreversible use of nonrenewable resources due to project energy use.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

The proposed project will require the consumption of considerable energy resources during the construction of the project and operation of the facilities. These impacts are mitigated by use of energy conservation and proper facility design. Also, consolidation of facilities and use of waste heat for electrical generation reduces energy consumption. However, these measures are insufficient to reduce the impact to insignificance.

The only alternative which will eliminate this impact is the no project alternative.

FINDING

IMPACT: Cumulative oil and gas developments causing increased consumption of nonrenewable energy supplies and consuming energy themselves.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Proposed oil and gas developments in the Santa Barbara Channel and Santa Maria Basin could substantially deplete the recoverable oil and gas reserves in these areas in about 50 years. This is a commitment of a significant nonrenewable resource for present consumption. The projects to develop these resources will also consume vast quantities of energy over their lifetimes. This impact is thus significant and longterm.

Mitigation measures which reduce this impact to the maximum extent possible are discussed in the previous finding addressing energy consumption. While these measures do not reduce the impact to insignificance, the impact is substantially reduced.

The no project alternative eliminates Exxon's contribution to this impact.

PERCENTAGE	252.201
PERCENTAGE	369

FINDING

IMPACT: Loss of tourism because of a major oil spill along the South Coast and Channel Islands.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

A major oil spill could occur from many components of the project in the offshore area. Oil platforms in the federal waters, oil pipelines to shore, the marine terminal, and tankers are all potential sources for a major oil spill. Any significant accident at these facilities could result in oil being spilled into the marine environment. This occurrence would immediately affect tourism in the South Coast, resulting in a significant environmental impact.

Several mitigation measures are available which can substantially reduce the risk and consequence of a major oil spill. Most of these involve planning and preventative measures. Spill containment is also available, but can be largely ineffective. Since these measures are not completely effective, the impact cannot be reduced to insignificance. Only the no project alternative will entirely eliminate the impact.

Mitigation measures which are required of Exxon are:

- 1) Exxon will prepare a marine terminal operations manual for review and approval of the State Lands Commission. This plan will describe operating conditions and procedures for the marine terminal, procedures and conditions governing the approach to the marine terminal, and similar information for departing the marine terminal. This plan shall also describe critical operations and curtailment procedures. Such procedures shall require that vessels shall not approach or leave the marine terminal when visibility is one mile or less and will specify other weather conditions and sea states in which the terminal operations will be curtailed.

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DATE	370

- 2) Exxon shall prepare a oil spill contingency plan for review and acceptance by the State Lands Commission. Such plan shall be prepared pursuant to the guidelines of the Commission.
- 3) Exxon shall have oil spill containment equipment stationed near the marine terminal and other production facilities for the purposes of containing spilled oil and minimizing environmental damage. Also, complete containment operations must be able to respond to an oil spill within one hour or be deployed within a time sufficient to keep oil from striking the shoreline, whichever is shorter.

RECEIVED	252.20n
DATE	371

FINDING

IMPACT: Cumulative effects of oil spills resulting in loss of tourism along the South Coast and Channel Islands.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

The previous discussion about oil spill impacts to tourism is applicable to this impact.

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FINDING

IMPACT: Cumulative impacts to the visual appearance of the offshore area due to a proliferation of oil and gas developments along the South Coast and Santa Maria Basin.

FINDING: (3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Within the Santa Barbara Channel and along the coast between Point Arguello to the San Luis Obispo County line, there are nearly 34 proposed or postulated platforms and existing platforms. In addition, numerous marine terminal and other offshore facilities exist. The Exxon project would add an additional 3 platforms to this group plus one additional marine terminal. The Exxon project would remove one OS&T from the offshore area.

This development of offshore facilities represents a significant deterioration to offshore visual aesthetics. No methods to mitigate this impact are available. Only the no project alternative will eliminate the impact.

FINDING

IMPACT: Annoyance and sleep interference to tourists or campers at El Capitan State Beach due to short-term exceedances of noise standards at the property line during construction and abandonment of the nearshore portions of the pipeline.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDING:

During construction of the nearshore portions of the pipeline, noise levels from the construction activities and equipment could exceed the 3 dBA Ldn increment standard imposed by the County of Santa Barbara. This noise level could have an impact on the experiences of users of El Capitan State Beach and campers using the facility at night. This effect is a significant environmental effect.

Mitigation measures which will reduce this impact to the maximum extent feasible have been imposed on Exxon by the County of Santa Barbara. These conditions require the installation of noise monitors and recorders at key points, design of facilities for maximum sound reduction, restrictions on helicopter usage and vessel corridors, and restriction of noise generating project activities to between the hours of 7:00 a.m. and 10:00 p.m. Leaving the offshore portion of the pipelines in place after their use will eliminate the abandonment impacts. These mitigation fully reduce the impact to insignificance.

PERMISSIONS	252.20g
PERMITS	374

ISSUE: MARINE BIOLOGY

IMPACT: Injury or death to marine organisms from trench blasting through nearshore and intertidal hard-bottom areas.

FINDINGS: (1) 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.

(3) Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

FACTS SUPPORTING THE FINDING:

Blasting during construction will have the potential to kill many intertidal and near tidal organisms. Recovery of the population may take many years for some species and is considered a significant impact. This impact will be mitigated to the maximum extent feasible by minimizing of blasting in these areas as well as the monitoring of all blasting operations to avoid blasting when rare or endangered species are in the area. These measures, however, will not reduce this impact to insignificance.

The No Project Alternative will entirely eliminate this impact.

CALCULATION	252.20
... ..	375

ISSUE: MARINE BIOLOGY

IMPACT: Potential alteration of California Gray Whale migration route as a result of communication disruption among animals due to cumulative noise disturbance.

FINDING: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the final EIR.

FACTS SUPPORTING THE FINDINGS:

The effect of noise and disturbance on marine mammals is not a serious concern in itself, but the offshore activity from Exxon's project will add to existing and future activities and may reach a threshold that would cause Gray Whales to abandon current migration routes. Surveys of Cetaceans in the Southern California Bight (Dohl et al., 1980) indicate that more whales are following offshore migration routes than in the past. The investigators hypothesized that this trend toward offshore movement might be related to increased human activity (as well as population pressure by the increased number of whales). Geraci and St. Aubin (1980) cite a Japanese study in which increased ship traffic was thought to have disturbed migration routes of Minke and Baird's beaked whales. Although it is not known what effect abandonment of coastal migration route would have on the California Gray Whale population, the level of impact is considered significant pending results of active investigations funded by MMS and NOAA.

These impacts are mitigated to the maximum extent possible by monitoring whale activities and curtailing construction activities when whales are present. Exxon is required to prepare a plan which incorporates such planning. The results of the ongoing research could require project modifications if research shows significant impacts. Phasing development to avoid overlapping construction in periods of whale migration could also reduce impacts.

The No Project Alternative eliminates this impact.