



CHAPTER 3 -- THE LAND USE PLAN: RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

3.11 INDUSTRIAL DEVELOPMENT AND ENERGY FACILITIES

[Narrative](#)

Coastal Element Policies: Energy Development

- 3.11-1 The federal government shall be requested to establish all under-water lands within the Outer Continental Shelf area as a petroleum reserve to be used only in a national emergency.
- 3.11-2 Onshore facilities related to the development of offshore oil and gas, except for onshore pipelines for natural gas, are not authorized in the coastal zone at this time, because no offshore areas are currently leased for oil and gas development. Development of siting, construction, and mitigation criteria should be considered in the context of specific proposals, so that topographical and environmental constraints can be identified and then-current technologies can be incorporated. If there is a future proposal for such development, it can be considered through the Local Coastal Program amendment process, including the special amendment process provided for energy projects by Section 30515 of the Coastal Act. (See Policy 3.1-26)
- 3.11-3 A full environmental review shall be required as an integral part of the use permit process dealing with oil and gas development. The findings and recommendations of the Outer Continental Shelf Oil Task Force shall be used in making a project determination.
- 3.11-4 Onshore oil and gas development shall be a conditional use in the Agriculture, Forest Lands, Range Lands, and Industrial land use categories. Such development shall include, but not be limited to, drilling, redrilling, production and abandonment of wells; and construction and installation of sumps, access roads, piping and storage tanks. Such development permits shall be subject to standards set forth in Sections 30260 and 30262 of the Coastal Act.
- 3.11-5 Pipelines for natural gas shall be permitted as a conditional use in all land use categories, subject to at least the following standards and criteria:
- Prior to issuing a permit to construct, the County shall require that a survey be conducted along the pipeline route to determine which, if any, coastal



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resources may be impacted by pipeline construction and operation. The costs of this survey shall be borne by the applicant. This survey may be conducted as a part of environmental review if an Environmental Impact Report is required.

- The survey shall be conducted by a consultant selected jointly by the applicant, the County, and the Department of Fish and Game. If the survey determines that the area to be disturbed will not revegetate naturally or sufficiently quickly to avoid other damage, as from erosion, the applicant shall submit a revegetation plan. The plan shall also include provisions for restoration of any habitats which will be disturbed by construction or operation procedures.
- One year after completion of construction, the County shall require that the area crossed by the pipeline be resurveyed to assess the effectiveness of the revegetation and restoration plan. This survey shall continue to monitor progress on an annual basis, until the County feels that monitoring is no longer necessary.
- The County shall require the posting of a performance bond by the applicant to ensure compliance with these provisions.
- The County shall prohibit the use of herbicides during the pipeline construction and shall require that excess soil be delivered to an approved dumping site, after the excavation has been backfilled and compacted.
- The pipeline shall be sited and constructed in such a manner as to inhibit erosion.
- Where feasible, pipelines shall be routed to avoid important coastal resources, including recreation, natural habitat, highly scenic areas, and archaeological areas. Unavoidable routing through such areas of significant coastal resource value shall be done in a manner that minimizes the extent of disturbance and erosion.
- The County shall establish a separate division within the Planning and Building Services Department to monitor applications for off-shore and related applications and increase fees as necessary to cover associated costs.

3.11-6 In sensitive resource areas, the extent of pipeline construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage



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areas. All development will be done in the least environmentally damaging alternative and will require mitigation for negative impacts.

- 3.11-7 Geologic investigations, performed by a qualified engineering geologist or a registered civil engineer with expertise in soil analysis shall be required where a proposed pipeline route crosses potential faulting zones, seismically active areas, or moderately high to high risk landslide areas. This investigation shall evaluate potential risks and recommend mitigation measures such as pipeline route changes and or engineering measures to help ensure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography.
- 3.11-8 New pipeline corridors shall be consolidated within existing pipeline or electrical transmission corridors unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
- 3.11-9 Electrical transmission and distribution lines shall be permitted as a conditional use in all land use categories subject to the following standards and criteria:
- Electrical transmission line rights-of-way shall be routed to minimize impacts on the viewshed, especially in scenic rural areas, and to avoid locations which are on or near sensitive habitat, recreational, or archaeological resources.
 - Scarring, grading, or other vegetative removal shall be minimized and revegetated with plants similar to those in the area.
 - Where above-ground electrical transmission lines would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other options are less environmentally damaging.
 - When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. Electrical transmission lines shall not extend along the road right-of-way for continuous distances and shall avoid the crests of roadways to minimize their visibility on distant views.
 - Related utilities should use existing rights-of-way whenever such uses are compatible and feasible.



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3.11-10 Each application for onshore oil and gas development shall be processed as two separate conditional use permits. The first conditional use permit application shall be limited to an exploratory phase and shall not include provisions for a production phase. Conditions of approval shall relate to installation, operation and completion of the exploratory drilling and shall include restoration of the site and mitigation measures and condition of approval required by all concerned governmental agencies. All oil and gas developments, whether for exploration or production, shall be designed and sited to prevent or minimize adverse impacts to biological, geological, archaeological, agricultural, visual and recreational resources. Adequate notice of all proposed oil and gas development shall be given to residents of the surrounding area. Any approved oil and gas development shall be installed in a manner which will not have a detrimental impact upon the surrounding uses of land.

A conditional use permit application for a development plan shall include:

- A review of the Exploratory Phase, including a complete evaluation of the conditions of operation, impact upon the environment and adequacy of the imposed mitigations.
- A phasing plan for the staging of development, indicating the anticipated timetable for project installation, completion and decommissioning.
- Maps and plans indicating ultimate potential development and its relationship to other structures and nearby areas of coastal resource value, such as sensitive habitats, prime agricultural land, archaeological sites, recreational areas, etc.
- A plan for consolidating, to the maximum extent feasible, drilling, production and other accessory facilities, including clustering of wells.
- Plans for eliminating or mitigating adverse impacts resulting both from standard siting, construction and operating procedures and from accidents. These shall include landscaping plans, oil spill contingency plans, fire prevention procedures, procedures for transporting and disposing solid and liquid wastes, etc.
- Plans and procedures for abandoning and restoring the site.

3.11-11 Upon completion or abandonment of an oil/gas project, all above ground oil and gas production and processing facilities shall be removed from the site and the area in which they were located shall be restored by appropriate contouring,



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reseeding, and planting to conform with surrounding topography and vegetation.

- 3.11-12 The County shall encourage the development and use of alternative sources of energy, such as wind, solar, wave, and biomass and cogeneration to meet the coast's energy needs. Alternative energy facilities for onsite use shall be permitted as a conditional use in all land use categories. For off-site use, alternative energy facilities shall be considered as a conditional use in the Agriculture, Forest Lands, Industrial Land and Range Land categories.
- 3.11-13 New industrial development shall be contiguous with, or in close proximity to existing developed areas able to accommodate it or where such areas are not able to accommodate it, in other areas with adequate public service and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources (Section 30250 (a) of the Coastal Act).
- Future industrial projects shall be consistent with Sections 30251, 30253, 30231 and 30232 of the Coastal Act.
- 3.11-14 The County shall pursue and develop a County Energy Conservation Program.
- 3.11-15 Legally existing development located on industrial designated land shall be allowed to continue and shall be allowed to expand their current uses consistent with Coastal Act policies and to meet economic and social needs of the County of Mendocino and the coastal area.
- 3.11-16 Any development pursuant to this section shall conform with Policy 3.1-26 and 3.1-27, and other applicable policies of this plan.