

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of SOUTHERN CALIFORNIA
GAS COMPANY (U 904 G) to Amend its
Certificate of Public Convenience and
Necessity for the Honor Rancho Natural Gas
Storage Facility.

Application No. 09-07-014
(Filed July 13, 2009)

**RESPONSE TO ADMINISTRATIVE LAW JUDGE'S
RULING DIRECTING SOUTHERN CALIFORNIA GAS
COMPANY TO SUBMIT ADDITIONAL INFORMATION**

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January 15, 2010

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Application No. 09-07-014
(Filed July 13, 2009)

**RESPONSE TO ADMINISTRATIVE LAW JUDGE'S
RULING DIRECTING SOUTHERN CALIFORNIA GAS
COMPANY TO SUBMIT ADDITIONAL INFORMATION**

I. BACKGROUND

Pursuant to the *Administrative Law Judge's Ruling Directing Southern California Gas Company To Submit Additional Information* ("Ruling"), dated December 15, 2009, Southern California Gas Company ("SoCalGas") hereby files and serves its responses to the questions regarding its Application to Amend its Certificate of Public Convenience and Necessity for the Honor Rancho Natural Gas Storage Facility ("Application").¹ The Ruling (on pp. 9-11) states that not later than January 15, 2010, SoCalGas must file and serve supplemental information:

- 1a. explaining why an addendum to the original Environmental Impact Report ("EIR") for the Honor Rancho storage facility is not appropriate or necessary for this Application;
- 1b. explaining why the California Public Utilities Commission ("Commission") should find the Expansion Project to be exempt from any environmental review when the Commission has been informed that a potentially significant negative impact may result from the Honor Rancho Expansion Project (or "Expansion Project");
2. showing either that the EIR certified in Decision ("D.") 84923 was amended to permit re-injection of brine, or explaining why the proposal to re-inject brine is not a substantial change from the mitigation measures adopted by D.84923;
- 3a. identifying the specific regulations, ordinances, codes, and other requirements that SoCalGas believes may improperly impede the activities that may be authorized in a Certificate for Public Convenience and Necessity ("CPCN") for the Honor Rancho storage facility;

¹ Application No. 09-07-014 (filed July 13, 2009).

- 3b. identifying the jurisdiction or agency responsible for administering the regulation, ordinance, code, or requirement SoCalGas seeks to have preempted;
 - 3c. identifying whether the regulation, ordinance, code, and requirement that SoCalGas identifies are discretionary or ministerial for the jurisdiction or agency;
 - 3d. explaining why the requested preemption of local regulations, ordinances, codes, or other requirements is consistent with the provisions of Public Utilities Code (“P.U. Code”) § 1011;
 - 3e. describing the specific legal authority upon which the Commission may preempt any local regulations that would deny or significantly delay the Expansion Project;
 - 3f. explaining why broad preemption of any local regulations, ordinances, codes, and requirements, rather than a more narrowly crafted preemption, is necessary for the Expansion Project; and
4. explaining how each regulation, ordinance, code, or other requirement identified by SoCalGas above would regulate or interfere with the Commission’s regulation of matters over which the Legislature grants regulatory authority power to the Commission.

II. SOCALGAS’ RESPONSES

1a. Why an addendum to the original EIR for the Honor Rancho storage facility is not appropriate or necessary for this Application

The Ruling directs SoCalGas to submit additional information about why an addendum to the original EIR for the Honor Rancho storage facility is not appropriate or necessary for this Application. The Ruling makes specific reference to two decisions concerning the Lodi Gas Storage, L.L.C. (“LGS”) request for authority to make modifications to the LGS facility (*i.e.*, D.03-08-048 and D.04-05-046). As discussed below, these decisions are distinguishable from the Expansion Project. An addendum is neither appropriate nor necessary for this Application because the proposed activities are categorically exempt under the California Environmental Quality Act (“CEQA”), and because SoCalGas is seeking to undertake a new project, not modify a previously approved project.

• Substantive Requirements and Three-Tier Review Process Under CEQA

CEQA generally requires state agencies to prepare EIRs prior to approving a “project” that may result in a significant impact on the environment. California Public Resources Code (“CPRC”) § 21100. In some instances, however, projects that have the potential to result in significant impacts are exempt from the requirement to prepare an EIR because the type of

activities proposed fall within either a “statutory” or “categorical” exemption.² In other instances, projects with the potential to result in significant impacts are relieved of the requirement to prepare an EIR because an EIR has previously been prepared and any changes to the project or its circumstances or new information can be addressed in a “supplement” or an “addendum” to an EIR, per CEQA Guidelines, §§ 15162-15164.³

CEQA establishes a three-tier process for determining whether a project triggers environmental review. In *Muzzy Ranch Co. v. Solana County Airport Land Use Com.*, 41 Cal. 4th 372 (2007), the California Supreme Court articulated the process as follows:

The first tier is jurisdictional, requiring that an agency conduct a preliminary review to determine whether an activity is subject to CEQA... An activity that is not a “project” as defined in the Public Resources Code (*see* § 21065) and the CEQA Guidelines (*see* § 15378) is not subject to CEQA...

The second tier concerns exemptions from CEQA review. The Legislature has provided that certain projects, such as ministerial projects and repairs to public service facilities of an emergency nature, are exempt... In addition, pursuant to the Legislature’s command (*see* Pub. Resources Code, § 21084, subd. (a)), the CEQA Guidelines list categorical exemptions or “classes of projects” that the resources agency has determined to be exempt *per se* because they do not have a significant effect on the environment... A project that qualifies for neither a statutory nor a categorical exemption may nonetheless be found exempt under what is sometimes called the “commonsense” exemption, which applies “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment” (CEQA Guidelines, § 15061, subd. (b)(3)) (*See generally Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 113-118 [62 Cal. Rptr. 2d 612].)

If a public agency properly finds that a project is exempt from CEQA, no further environmental review is necessary. (*No Oil, Inc. v. City of Los Angeles*, [13 Cal.3d 68, 74 (1978)].) The agency need only prepare and file a notice of exemption (*see* CEQA Guidelines, §§ 15061, subd. (d), 15062, subd. (a)), citing the relevant statute or section of the CEQA Guidelines and including a brief statement of reasons to support the finding of exemption (*Id.*, § 15062, subd. (a)(4))...

CEQA’s third tier applies if the agency determines substantial evidence exists that an aspect of the project may cause a significant effect on the environment. In that event, the agency must ensure that a full environmental impact report is prepared on the proposed project.⁴

² CPRC § 21080.

³ The term “CEQA Guidelines” refers to the regulations for the implementation of CEQA authorized by the Legislature (CPRC § 21083), codified in Title 14, § 15000 et seq. of the California Code of Regulations, and “prescribed by the Secretary for Resources to be followed by all state and local agencies in California in the implementation of [CEQA].” (CEQA Guidelines, § 15000.)

⁴ *Muzzy Ranch* at 380-381 (citing CEQA Guidelines, § 15063, subd. (b)(1); *see also* Pub. Resources Code, §§ 21100, 21151; CEQA Guidelines, § 15080 et seq.).

- **Application of CEQA’s Three-Tiered Process to the Honor Rancho Expansion Project**

Step one in the three-tiered process articulated in *Muzzy Ranch* is determining whether the proposed activities constitute a “project” subject to CEQA. In the instant case, they do. Step two is determining whether the proposed activities are statutorily or categorically exempt from CEQA review. As discussed below, the proposed activities are categorically exempt from CEQA review and as such, no further environmental review is necessary. Consequently, the three-step process ends at the second step, and the Commission does not reach the question of whether an addendum is appropriate or required.⁵

- **The LGS Decisions are Distinguishable from the Honor Rancho Expansion Project**

The fact that the Commission approved the changes to the LGS facilities in reliance on addenda to the previously certified EIR does not mean that an addendum is required for the Expansion Project.

In 2000, the Commission adopted D.00-05-048, which granted a CPCN to LGS to develop, construct, and operate an underground natural gas storage facility and ancillary pipeline and to provide firm and interruptible storage services at market-based rates. The LGS CPCN authorized construction of up to 11 gas injection/withdrawal wells and specifically stated that “if LGS makes any changes to the proposed route or other project components, LGS shall apply to the Executive Director or his designated staff for approval of a variance.”⁶ Thus, LGS’ original CPCN expressly required Commission review and approval of any changes to the LGS project.

In D.03-08-048 dated August 21, 2003, the Commission approved an amendment to LGS’ CPCN granted pursuant to D.00-05-048. In issuing D.03-08-048, the Commission adopted an addendum to the Final EIR for the LGS project, which was approved in February 2000. D.03-08-048 notes that the modifications proposed by LGS were “necessary to achieve the originally envisioned and approved flow rates for the project.”⁷ Although the Commission concluded that LGS’s request to drill two additional wells was not a minor change to the project

⁵ See *Id.* at 380 (citing *No Oil, Inc. v. City of Los Angeles*, 13 Cal.3d 68, 74 (1978)).

⁶ D.00-05-048 (*mimeo*), p. 79, Conclusion of Law 28.

⁷ D.03-08-048 (*mimeo*), p. 1.

components and therefore did not qualify for a variance, the Commission adopted an addendum to the previously approved EIR to satisfy CEQA.⁸

In D.04-05-046 dated May 27, 2004, the Commission approved another amendment to LGS' CPCN to increase the total capacity of the operation from 18 billion cubic feet ("Bcf") to 21 Bcf, to authorize the drilling of two new wells from an existing well site to access that capacity, and to authorize the drilling of two replacement wells on existing well sites to replace two existing wells that were no longer performing adequately and that would be removed from service and plugged. D.04-05-046 notes that well data and geological analysis "reveal that the size and character of the reservoir are different than originally estimated."⁹ D.04-05-046 further notes that the proposed well replacements were required "to correspond to the physical dimensions of the reservoir" and that the two existing wells would be plugged and two replacement wells would be drilled "in order to realize the originally approved firm deliverability and injection capacities of the gas storage facility."¹⁰ Again, the Commission adopted an addendum to the previously approved EIR to satisfy CEQA.

Decisions 03-08-048 and 04-05-046 addressed revisions to the same project previously approved in D.00-05-048. Under CEQA, an agency "shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in § 15162 calling for preparation of a subsequent EIR have occurred."¹¹ The Commission could have considered approving the same activities pursuant to a categorical exemption. However, an addendum was appropriate and arguably necessary because the proposed modifications constituted changes to the same previously approved project.

By contrast, the original CPCN for the Honor Rancho storage field was authorized by D.84923, which was adopted in September 1975. The Commission originally authorized the use of 23 existing wells and 17 new wells for injection and/or withdrawal, along with compression equipment, field piping, gas purification equipment, utility oil and water systems, and site preparation activities. The 1975 CPCN specifically states that "No plans exist for any future

⁸ Under CEQA, an addendum to a previously certified EIR is required if "some changes or additions are necessary..." CEQA Guidelines, § 15164(a)(emphasis added). By contrast, an addendum to an approved negative declaration may be prepared if "minor technical changes or additions" are required. CEQA Guidelines, § 15164(b)(emphasis added).

⁹ D.04-05-046 (*mimeo*), p. 2.

¹⁰ *Id.* at 3.

¹¹ CPRC § 15164(a).

changes in the proposed project,”¹² and unlike the original CPCN for LGS contains no language requiring Commission review and approval of any changes to the storage field. In the more than 30 years since the original CPCN for the Honor Rancho storage field was approved, the storage field has been modified without triggering any amendment to the original CPCN.

Although the Application seeks an amendment to the 1975 CPCN for the storage field, the proposed project is distinct from the original project approved in 1975. The LGS decisions confirm that the modifications proposed by LGS were required in order for the project to operate as originally proposed. The modifications to the LGS CPCN were “necessary to achieve the originally envisioned and approved flow rates for the project,”¹³ to address the fact that “the size and character of the reservoir are different than originally estimated,”¹⁴ and “to realize the originally approved firm deliverability and injection capacities of the gas storage facility.”¹⁵

In contrast, the purpose of the modifications to the Honor Rancho CPCN is to add storage capacity to meet increased demand during peak periods and to implement the Biennial Cost Allocation Proceeding (“BCAP”) Phase I Settlement.¹⁶ Importantly, SoCalGas does not believe the Expansion Project would be an activity that would require a second CPCN review from the Commission.¹⁷ However, SoCalGas is requesting modifications to the 1975 CPCN to adjust SoCalGas’ transportation rates to reflect the additional costs allocated to the core storage and load balancing functions, to update the costs allocated to SoCalGas’ unbundled storage program, and to confirm that the Commission’s authorization preempts local regulations that would deny or significantly delay the Expansion Project.¹⁸ Unlike LGS, SoCalGas is not requesting modifications to the CPCN to allow for the storage field to operate as originally envisioned or to make up for differences in the size and character of the reservoir as originally estimated. SoCalGas is requesting the modifications for the express purpose of expanding the capacity of the existing storage field. The 1975 CPCN makes clear that there were no plans for future changes in the project, thus a proposed expansion approximately 35 years later would not be considered part of the original project. The Application is for a separate, subsequent project that can and should be evaluated on its own merits to determine whether CEQA review is triggered.

¹² D.84923 (*mimeo*), p. 8.

¹³ D.03-08-048 (*mimeo*), p. 1.

¹⁴ D.04-05-046 (*mimeo*), p. 2.

¹⁵ *Id.* at 3.

¹⁶ See Application at 3.

¹⁷ See *Id.* at 10.

¹⁸ See *Id.*

The Commission appropriately relied on addenda to approve the LGS modifications because the proposed modifications were changes to the previously approved *project* and because the original CPCN approval specifically required subsequent Commission review and approval of any modifications to the *project*. By contrast, SoCalGas proposes modifications to the Honor Rancho *storage field*. The modifications requested by SoCalGas are not to implement the original project, but rather to undertake a new project. Thus, it is appropriate to consider a categorical exemption for these activities and it is not necessary to adopt an addendum to the previously approved EIR.

1b. Why the Commission should find the Expansion Project to be exempt from any environmental review when the Commission has been informed that a potentially significant negative impact may result from the Expansion Project

The Ruling directs SoCalGas to submit additional information about why the Commission should find the Expansion Project to be exempt from any environmental review when the Commission has been informed that a potentially significant negative impact may result from the Expansion Project. The basis for the Ruling's inquiry is a letter from an area resident to the Commission's Public Advisor expressing a concern over potential noise that might result from nighttime drilling associated with the Expansion Project. (See Ruling, Attachment 1)

SoCalGas notes that under CEQA, "substantial evidence" is defined to mean "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached... Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence."¹⁹ SoCalGas submits that the letter received does not constitute substantial evidence that a fair argument can be made that a potentially significant negative impact may result from the Expansion Project.

Nonetheless, SoCalGas takes seriously any concerns that the Expansion Project might result in significant impacts. The Ruling states, "the Application does not describe the best management practices that SoCalGas will follow or how SoCalGas will address concerns like

¹⁹ 14 California Code of Regulations § 15384(a).

those raised by the area resident.”²⁰ Since the Ruling was issued, SoCalGas has been in contact with the area resident to better understand his concerns and to explain the reasons why the noise associated with drilling activities should not create a nuisance. Based on that interaction, the resident issued a second letter in which he stated, “I was encouraged by this feedback and am hopeful that SCG will implement any and all noise mitigation necessary to ensure that my residence is not bothered by this proposed project.”

- **Incorporation of Best Management Practices Will Avoid Significant Noise Impacts**

The Declaration of James D. Mansdorfer describes the steps SoCalGas has taken to address this resident’s concern, and describes the best management practices that will be employed so that the Expansion Project will not create a noise nuisance to area residences (*see* Attachment-2). In summary, the best management practices employed to minimize any potential for noise disturbance during construction are three-fold: (1) choice of remote location for well drilling, which includes sound-reducing terrain between the drilling site and residential areas; (2) use of sound deadening devices on its drilling and stationary equipment; and (3) noise monitoring to ensure acceptable levels of noise during the Expansion Project. SoCalGas is confident that its best management practices, along with its commitment to monitor and address public concerns about noise levels during the construction period, will ensure that local area residents will not be bothered by the noise levels associated with its drilling activities. SoCalGas requests that Mr. Mansdorfer’s declaration be included in the official record in this proceeding.

- **The Proposed Activities, Including those in Previously Undisturbed Areas, Are Categorically Exempt**

The Application describes the reasons why the proposed activities qualify for a categorical exemption.²¹ The Ruling observes that the Commission in D.01-06-086 found that *all* of the proposed activities at Aliso Canyon and La Goleta storage fields would take place on previously disturbed and isolated areas, while the Application acknowledges that the proposed Expansion Project activities will take place *almost exclusively* within areas that were previously disturbed and that construction will *primarily* occur within existing well pads, roads and other previously disturbed areas. In fact, the circumstances surrounding the Expansion Project are not substantially different than those in D.01-06-086 concerning the Aliso Canyon and La Goleta

²⁰ Ruling at 5.

²¹ See Application at 5-9.

expansion projects. The only activities located outside of existing well pads, roads and other previously disturbed areas are two pipeline crossings within vegetated areas. Both of these vegetated areas are located directly adjacent and in between previously disturbed areas. Together, the two sites will result in 900 ft² (0.0201 acre) of temporary impacts and 518 ft² (0.0114 acre) of permanent impacts.

The Biological Technical Report submitted as Appendix F to the Application confirms that the activities proposed outside of disturbed areas will not significantly impact the environment. More specifically, the proposed activities will not impact special status species due to the small size of the project footprint, the location of the proposed disturbance areas, and the negative field surveys for special status species.²² Construction activities will avoid impacts to an ephemeral creek by spanning the ephemeral creek.²³ In addition, a number of best management practices (*e.g.*, pre-construction surveys, post-construction re-vegetation, and avoidance of the drainages) will be implemented to avoid or minimize potential impacts to biological resources within these two areas.²⁴

Thus, the Expansion Project activities proposed to take place outside of existing well pads, roads and other previously disturbed areas are negligible. Under the circumstances, the exemptions relied upon by SoCalGas apply even though limited activities will take place outside of previously disturbed areas.

- **None of the Exceptions to the Categorical Exemptions Applies**

Even assuming that a potentially significant negative impact could result from the Expansion Project, however, the Expansion Project remains categorically exempt because none of the exceptions to the categorical exemptions applies.

Categorical exemptions are adopted by the Secretary of the Resources Agency on a finding that the category of projects to be exempted does not have a significant effect on the environment.²⁵ Although the catchall “Common Sense” exemption set forth in CEQA Guidelines, § 15061(b)(3) does not apply unless “it can be seen with certainty that there is *no possibility* that the activity in question may have a significant effect on the environment” (emphasis added), categorical exemptions have been categorically determined not to have a

²² See Application, Appendix F.

²³ See *Id.*

²⁴ See *Id.*

²⁵ See CPRC § 21084(a).

significant effect on the environment and are exempt from CEQA unless one of several limited exceptions contained in CPRC § 21084 and CEQA Guidelines, § 15300.2 exist. The exceptions to the exemptions are set forth in the CEQA Guidelines as follows:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located--a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.²⁶

When an agency determines that a project is categorically exempt from CEQA review, it is not required to determine that none of the exceptions applies.²⁷

The Expansion Project fits squarely within the Class 1, Class 4, Class 11, and Common Sense exemptions.²⁸ Although the Commission is not required to determine that none of the exceptions applies, the Application provides the Commission with the basis to come to that conclusion.²⁹ Moreover, the concerns that were initially expressed by an area resident about potential noise impacts do not demonstrate that “unusual circumstances” exist such that the

²⁶ CEQA Guidelines, § 15300.2.

²⁷ See e.g., *East Peninsula Ed. Council, Inc. v. Palos Verdes Peninsula Unified School Dist.*, 210 Cal.App.3d 155 (1989); *Association for Protection Etc. Values v. City of Ukiah*, 2 Cal.App.4th 720, 732 (1991).

²⁸ See Application at 5.

²⁹ See Id. at 6.

exception in CEQA Guidelines, § 15300.2(c) is triggered. The proposed activities are typical of the storage field operations and not unusual at Honor Rancho.

In light of the circumstances of the Expansion Project, there is no fair argument that the Expansion Project will result in significant impacts or trigger an exception to the categorical exemptions. For these reasons, a categorical exemption is appropriate notwithstanding the concerns that were initially raised by an area resident.

2. Was the EIR certified in D.84923 amended to permit re-injection of brine; or, if not, why is the proposal to re-inject brine not a substantial change from the mitigation measures adopted by D.84923

The Ruling (at 6-7) noted that the original EIR, which was certified by D.84923, adopted a mitigation measure which entails trucking the brine to an off-site disposal facility. Yet, the Application states that brine produced during gas withdrawal from the wells at Honor Rancho will be re-injected by brine-injection wells, which will need to be drilled and added to the facility.³⁰ To clarify, SoCalGas currently re-injects brine generated by the storage field operations at Honor Rancho. In 1987, SoCalGas obtained approval from the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (“DOGGR”) to re-inject brine and abandoned the practice of trucking brine off-site for treatment and discharge into the ocean.

The original EIR was not amended to permit re-injection of the brine. As discussed below, re-injection of the brine was specifically identified in the EIR as a future potential alternative to trucking the brine off-site for treatment and discharge into the ocean. Because the EIR was certified and the brine re-injection project was completed before the adoption of CEQA regulations regarding mitigation monitoring and reporting, substitution of brine re-injection for off-site treatment and discharge to the ocean is not a substantial change from the mitigation measures adopted in D.84923. Moreover, because brine generated at the storage field is currently re-injected today, the proposed re-injection is not a substantial change from existing operations.

The Declaration of Mr. Mansdorfer addresses the Ruling’s brine re-injection inquiry. The Declaration explains that brine re-injection was one of several alternatives that were specifically contemplated by the Commission as part of the original EIR, which was certified by

³⁰ See *Id.* at 13.

D.84923. The Declaration explains why SoCalGas ultimately stopped trucking the brine to an off-site treatment facility for discharge into the ocean in favor of re-injection. The Declaration also explains that SoCalGas implemented brine re-injection after receiving approval from the agency with primacy jurisdiction: DOGGR.

The Declaration and original EIR evidence that the re-injection alternative was likely not implemented when the storage field first began operating because of cost considerations. As described in the EIR:

Analyses have been performed by SoCal to determine the various environmental, operational and economic advantages of several possible techniques for the disposal of waste water. All such analyses indicate the best *current* alternative is to dispose of waste fluids by trucking to a licensed commercial water treatment and disposal facility in Santa Paula. Because of economic considerations, SoCal will contract for a total disposal service to include trucking and pickup at the project site.³¹

As noted in the Declaration, the EIR specifically acknowledged that any of the waste water disposal alternatives, including re-injection, could occur at some point during the operation of the storage field: “All of these alternatives are feasible and could conceivably be used at some time during the operating life of the proposed project.”³² Thus, the EIR expressly acknowledged that re-injection was a feasible, potential future alternative to transporting waste water to an off-site treatment facility for disposal into the ocean.

Substitution of one method of brine disposal for another without further review by the Commission was permissible under CEQA at the time SoCalGas began re-injecting brine. CPRC § 21081.6 generally requires monitoring and reporting of mitigation measure compliance and requires that agencies ensure the enforceability of mitigation measures. Section 21081.6, however, became effective on January 1, 1989, well after the 1975 CPCN was approved and after the brine project was approved by DOGGR in 1987. Thus, the substitution of one waste water disposal method for another did not trigger any amendment to the EIR. Moreover, because the change in waste water disposal method did not trigger an amendment to the 1975 CPCN or any other approval by the Commission, CEQA was not triggered and there was no occasion to amend or revise the EIR. Absent the need for a subsequent discretionary action by the Commission or an express requirement in the 1975 CPCN for Commission review, there is no trigger for reviewing or revising the certified CEQA document.

³¹ Draft EIR, Appendix B (emphasis added).

³² *Id.* at Appendix A, p. 4-8.

For these reasons, an amendment to the EIR certified in D.84923 was never required to permit re-injection of brine, and re-injection of the brine is not a substantial change from the mitigation measures adopted by D.84923.

3a. Identify the specific regulations, ordinances, codes, and other requirements that SoCalGas believes may improperly impede the activities that may be authorized in a CPCN for the Honor Rancho storage facility

SoCalGas is requesting that the Commission confirm preemption of the City of Santa Clarita (“City”) Zoning Code, which is set forth in Title 17 of the City’s Municipal Code.

Neither the City nor Title 17 existed when the Honor Rancho storage field was originally approved and constructed. Under Title 17, the existing and proposed storage field uses and expansion do not conform with the City’s existing planning and zoning regulations set forth in Title 17. As a result, the City’s initial assessment of the Expansion Project was that it would require City approval of a Zone Change, a General Plan Amendment, and a Conditional Use Permit under Title 17.³³ These approvals are completely within the City’s discretion to grant or deny, and provide the City with a vehicle to place conditions on the storage field uses. Compliance with these requirements – the purpose of which is to ensure that the proposed use is appropriate at this particular location – would preclude SoCalGas from meeting its construction schedule and would likely result in a protracted and unpredictable administrative process subject to public review and potential controversy.

Although SoCalGas believes that these regulations are preempted as a matter of law, SoCalGas seeks express confirmation of the Commission’s intent to preempt Title 17 as it applies to the activities authorized in the CPCN.

3b. Identify the jurisdiction or agency responsible for administering the regulation, ordinance, code, or requirement SoCalGas seeks to have preempted

The City is the responsible jurisdiction for administering the Zone Change, General Plan Amendment, and Conditional Use Permit identified above in section 3a.

³³ While the City later modified its original opinion, the risks to the Expansion Project and to the storage field operations at the Honor Rancho storage facility remain present.

3c. Identify whether the regulation, ordinance, code, and requirement that SoCalGas identifies are discretionary or ministerial for the jurisdiction or agency

The Zone Change, General Plan Amendment, and Conditional Use Permit approvals required under Title 17 are all discretionary.

3d. Explain why the requested preemption of local regulations, ordinances, codes, or other requirements is consistent with the provisions of P.U. Code § 1011

P.U. Code § 1011 grants the Commission concurrent authority with any city, county, or city and county to grant franchises for public utilities. SoCalGas does not request preemption of any concurrent rights held by local jurisdictions or regulatory agencies, nor does it seek to disturb any existing or pending franchise arrangements.³⁴ Moreover, SoCalGas does not request that the Commission preempt regulations, ordinances, codes, or other requirements over which it has not been given authority to administer (*e.g.*, police and sanitation regulations which are administered locally³⁵), or any ministerial regulations that are the product of state-imposed Housing Code requirements (*e.g.*, fire, building, plumbing, or mechanical code requirements). Instead, SoCalGas requests that the Commission confirm its intent to preempt the specific local land use and other rules, regulations, codes, ordinances, etc. identified above in section 3a that would hamper or prevent the construction and operation of the expanded storage field at the Honor Rancho storage facility.

3e. Describe the specific legal authority upon which the Commission may preempt any local regulations that would deny or significantly delay the Expansion Project

Article XII, § 8 of the California Constitution establishes the Commission's preemption power over matters which the Legislature has granted the Commission regulatory powers:

A city, county, or other public body may not regulate matters over which the Legislature grants regulatory power to the Commission. This section does not affect power over public utilities relating to the making and enforcement of police, sanitary, and other regulations concerning municipal affairs pursuant to a city charter existing on October 10, 1911, unless that power has been revoked by the city's electors, or the right of any city to grant franchises for public utilities or other businesses on terms, conditions, and in the manner prescribed by law.

³⁴ Title 4 of the City's Municipal Code regulates franchises. SoCalGas is not requesting preemption of Title 4 of the City's Municipal Code.

³⁵ See California Constitution, Art. XII, § 8.

P.U. Code §§ 701 and 768 give the Commission broad regulatory powers. Section 701 provides:

The commission may supervise and regulate every public utility in the State and may do all things, whether specifically designated in this part or in addition thereto, which are necessary and convenient in the exercise of such power and jurisdiction.

Section 768 provides:

The commission may, after a hearing, require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the health and safety of its employees, passengers, customers, and the public. . . . The commission may establish uniform or other standards of construction and equipment, and require the performance of any other act which the health and safety of its employees, passengers, customers, or the public may demand.

Commission decisions, as well as California case law, have confirmed the Commission's preemptory powers. In D.94-06-014, the Commission, on its own motion to investigate rules, procedures and practices which should be applicable to the Commission's review of electric transmission lines not exceeding 200 kV, concluded that it had "exclusive jurisdiction to regulate all aspects of the design, construction, and operation of public utilities."³⁶ The decision stated, "[t]he Commission has restated its exclusive jurisdiction over the location and construction of public utility facilities in numerous decisions."³⁷ In D.90-01-020, the Commission stated, "[a]s a general rule, '[l]ocal ordinances are controlled by and subject to general state laws and the regulations of statewide agencies regarding matters of statewide concern. Accordingly, the Commission has been held to have paramount jurisdiction in cases where it has exercised its authority, and its authority is pitted against that of a local government involving a matter of statewide concern.'"³⁸

In *California Water & Telephone Co. v. County of Los Angeles*,³⁹ the Court of Appeal concluded that a county water ordinance, as applied, conflicted with the Commission's exclusive regulatory jurisdiction over matters which are of statewide rather than local concern. The court expressed that "if the local legislation conflicts with general law or is a matter of state-wide rather than strictly local concern, the Water Ordinance is void, whether or not the general law

³⁶ 1994 Cal. PUC LEXIS 453 at 67.

³⁷ *Id.* at 12.

³⁸ 1990 Cal. PUC LEXIS 1 at 4.

³⁹ 253 Cal. App. 2d 16; 61 Cal. Rptr. 618 (1967).

totally occupies the ‘field,’ however defined.”⁴⁰ The court found that “the construction, design, operation and maintenance of public water utilities is a matter of state-wide concern.”⁴¹

In *Southern Cal. Gas Co. v. City of Vernon*,⁴² the Court of Appeal considered whether Vernon could regulate the design and construction of a proposed gas pipeline, notwithstanding the Commission’s regulatory power in that area. The court ruled that the Commission had exclusive jurisdiction over the project, stating, “In sum, under the Constitution a city may not regulate matters over which the PUC has been granted regulatory power . . . Therefore Vernon cannot purport to regulate the design or construction of the proposed pipeline under the guise of ensuring the pipeline’s safety.”⁴³

In *San Diego Gas & Electric Co. v. City of Carlsbad*,⁴⁴ the Court of Appeal upheld that the city’s efforts to regulate its maintenance dredging operation was invalid and that the city was preempted by the Commission’s authority.

In *Leslie v. Superior Court of Ventura County*,⁴⁵ the court held that Southern California Edison Company was subject to county building code standards for grading and excavation related to utility maintenance roads. The court concluded that the grant of power to the Commission to approve construction and maintenance within utility premises and to repair or improve facilities did not constitute an express grant of power to grade and maintain access roads, that the Commission had never promulgated rules concerning those matters, and that the Commission did not purport to exercise such authority.⁴⁶ In addition, the court concluded that the State Housing Law⁴⁷ expressly requires cities and counties to adopt minimum state building standards, including those regarding grading and excavation, and those statewide standards are binding on both public agencies and private entities.⁴⁸ The court found that although the State Housing Law and the Commission’s rules and regulations are of equal dignity, no conflict existed because the Commission had not generated rules or regulations on the subject.⁴⁹ Notably, the *Leslie* court disagrees that the *City of Carlsbad* establishes Commission preemption

⁴⁰ *Id.* at 28.

⁴¹ *Id.* at 30.

⁴² 41 Cal. App. 4th 209; 48 Cal. Rptr. 2d 661 (1995).

⁴³ *Id.* at 217.

⁴⁴ 64 Cal. App. 4th 785; 75 Cal. Rptr. 2d 534 (1998).

⁴⁵ 73 Cal. App. 4th 1042 (1999).

⁴⁶ 73 Cal. App. 4th at 1047-1048.

⁴⁷ California Health & Saf. Code, § 17910 *et seq.*

⁴⁸ *Id.* at 1048.

⁴⁹ *Id.* at 1049.

of all local regulation over utility operations, particularly when the local law is in accord with state law.⁵⁰

Consistent with the *Leslie* decision, and to avoid future questions or disputes about the scope of the Commission’s preemption of local regulation over utility operations, SoCalGas requests that the Commission confirm its preemptory powers over the specific local laws of the City identified above in section 3a.

3f. Explain why broad preemption of any local regulations, ordinances, codes, and requirements, rather than a more narrowly crafted preemption, is necessary for the Expansion Project

In the Application, SoCalGas asked the Commission to “confirm that the Commission, in granting this amendment to the CPCN, has preemptory authority over conflicting local zoning regulations, ordinances, codes, or requirements, under a finding that the Honor Rancho Expansion Project serves the public interest.”⁵¹ In this Response, SoCalGas has identified (in section 3a above) the specific local laws that the Commission should preempt for purposes of exercising its lawful jurisdiction over the Expansion Project (and as a result, over the expanded storage field operations as a whole at Honor Rancho). Given this clarification, SoCalGas’ request is not overly broad. Moreover, SoCalGas’ request is consistent with the authority the Commission has already confirmed in past decisions for other utility projects (e.g., G.O. 131-D / electric transmission projects).

4. Explain how each regulation, ordinance, code, or other requirement identified by SoCalGas above would regulate or interfere with the Commission’s regulation of matters over which the Legislature grants regulatory authority power to the Commission

The need to confirm preemption arises from changes in land use regulation that have occurred over time at the Honor Rancho storage facility. When the original CPCN was approved in 1975, the Honor Rancho storage facility was located wholly within unincorporated Los Angeles County. At that time, SoCalGas sought and obtained a zone change and a conditional use permit from the County of Los Angeles to allow development of the storage field at Honor Rancho. Since 1975, SoCalGas has continuously operated and maintained the storage field in a consistent fashion. Over that same time period, however, the underlying local regulatory

⁵⁰ *Id.* at 1050.

⁵¹ Application at 2.

framework changed so dramatically that the storage field operations and uses no longer conform with the City's planning and zoning requirements.

In 1987, the City incorporated, and as a result the Honor Rancho storage facility fell within the jurisdictional boundaries of two local governments rather than one. Although the storage field had been operating for over a decade, the City subsequently changed the zoning for portions of the storage field to "Business Park" in some areas, "Residential" in some areas, and "Special Purpose" in other areas, while areas within the County of Los Angeles' boundaries remained zoned for "Agricultural" uses. Thus, today, portions of the Honor Rancho storage facility located within the City of Santa Clarita are zoned for Residential and Business Park uses, while other portions are located within Los Angeles County and are zoned for Agricultural uses. As a result, the Honor Rancho storage facility no longer conforms to the underlying City zoning requirements. In addition, the City and County have jointly embarked on a General Plan update process known as "One Valley, One Vision" which is expected to take several years to complete and is expected to include requirements that purport to apply to the storage field.

There is a clear risk that the City, Los Angeles County, or any third party could seek to delay or prevent the Expansion Project from commencing by invoking the nonconformance with City zoning regulations. Worse yet, project opponents could point to the zoning nonconformities to argue that the storage field should cease to operate at this location. Such an outcome would impermissibly subjugate the state's interests to purely local interests. Clearly, in granting SoCalGas the original CPCN in 1975, the Commission authorized the storage operations at the Honor Rancho storage facility. However, absent an express confirmation of the Commission's authority to regulate storage field operations (including expansion activities), and to preempt the conflicting local laws identified above in section 3a that would infringe on the Commission's jurisdiction, SoCalGas will be exposed to potential disputes over whether the Honor Rancho storage facility may be expanded, or even whether existing storage operations at this facility may continue.

Although the City has recently agreed that the Expansion Project does not trigger the approvals identified above in section 3a, and has issued a letter documenting this conclusion (*see* Attachment-1), SoCalGas understands that the City can reverse its position at any time. Such a reversal would require SoCalGas either to seek the discretionary approvals, or potentially delay construction while challenging the conclusion that these permits are required. In either event, the

Expansion Project would undoubtedly be delayed and additional utility resources would be required to resolve these matters. The time, expense, and potential conditions associated with obtaining a Zone Change, General Plan Amendment, and Conditional Use Permit cannot be accurately predicted. Nor can project opponents and points of controversy be accurately predicted.

These obstacles and uncertainties are contrary to the state's interest in promoting expansion of natural gas storage capacity. More germane to this Application, the Commission's adopted BCAP Phase I Settlement, under which SoCalGas has agreed to "make commercially reasonable efforts to expand storage capacity by 7.0 Bcf over the period 2009 – 2014,"⁵² would be jeopardized by any delays caused by local laws restricting the Expansion Project. SoCalGas seeks preemption of these regulations to increase the likelihood that the Expansion Project will be completed in a timely manner and without unnecessary costs or potential controversy.

SoCalGas believes that the Commission, as a matter of law, possesses preemtory powers with respect to the Honor Rancho storage facility, based on the legal authority described above in section 3e. However, as a practical matter, a confirmation of the Commission's preemtory powers would greatly assist SoCalGas in responding to future assertions by local agencies and third parties that the storage field is not an appropriate use at this location, or that additional City and/or County approvals are required prior to the commencement of the Expansion Project and continued storage field operations at the Honor Rancho storage facility. Therefore, an official confirmation by the Commission of its preemtory powers over the Expansion Project and the Honor Rancho storage facility would provide the legal authority upon which both SoCalGas and the City could rely.

SoCalGas requests that the Commission, in its decision on this Application, adopt the following Conclusions of Law:

Conclusion of Law: "Title XII, § 8 of the California Constitution, and Public Utilities Code §§ 701 and 768, establish the Commission's preemtory authority over city, county, or other public bodies over matters which the Legislature has granted regulatory power to the Commission. Those matters include the construction, maintenance, and operation of utility property."

Conclusion of Law: "In approving this amendment to the CPCN, the Commission confirms its authority to preempt Title 17 of the City of Santa Clarita's Municipal Code

⁵² Application at 3 (citing BCAP Phase I Settlement Agreement, para. 6).

on zoning, the City's General Plan, and all Conditional Use Permit requirements that the City could otherwise impose on the Honor Rancho Expansion Project or the Honor Rancho Storage Facility."

III. CONCLUSION

In this Response, SoCalGas has fully responded to the questions raised in the Ruling. Based on the additional information provided herein, SoCalGas requests that the Commission promptly issue its decision granting the relief requested in this Application so that the Honor Rancho Expansion Project may proceed at the earliest possible date.

Respectfully submitted,

/s/ Johnny J. Pong

By Johnny J. Pong

DAVID J. GILMORE
JOHNNY J. PONG
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Email: jpong@sempra.com

Dated: January 15, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **RESPONSE TO ADMINISTRATIVE LAW JUDGE'S RULING DIRECTING SOUTHERN CALIFORNIA GAS COMPANY TO SUBMIT ADDITIONAL INFORMATION** on all parties of record in A.09-07-014 by electronic mail, by U.S. mail to those parties who have not provided an electronic address to the Commission, and by Fed Ex to Commissioner Simon and ALJ Smith.

Dated at Los Angeles, California, this 15th day of January, 2010.

/s/ Rose Mary Ruiz

Rose Mary Ruiz

**CALIFORNIA PUBLIC UTILITIES COMMISSION
Service Lists - Proceeding: A.09-07-014 - Last changed: December 15, 2009**

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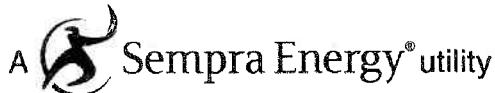
ATTACHMENT – 1

**CORRESPONDENCE BETWEEN SOCALGAS AND
THE CITY OF SANTA CLARITA**



Tony Tartaglia
Public Affairs Manager

1214 E. Green Street
Pasadena, CA 91106



July 23, 2009

Paul Brotzman
Director of Community Development
City of Santa Clarita
23920 Valencia Blvd., #300
Santa Clarita, CA 91355-2196

Re: Storage Inventory Expansion Project at Southern California Gas Company's Honor Rancho Natural Gas Storage Field

Dear Mr. Brotzman:

Pursuant to a settlement agreement recently approved by the California Public Utilities Commission, Southern California Gas Company (SoCalGas) plans to expand its storage inventory at Honor Rancho Natural Gas Storage Field. We are writing to confirm that the proposed expansion does not trigger any discretionary or ministerial permits from the City of Santa Clarita. Specifically, we are requesting confirmation that the proposed activities do not trigger any planning or zoning approvals and are exempt from building or grading permit requirements.

Background

SoCalGas is a public utility regulated by the California Public Utilities Commission. SoCalGas owns and operates the Honor Rancho underground natural gas storage facility located at 25205 West Rye Canyon Road. Approximately 50% of the facility is located in the City of Santa Clarita with the remainder located in unincorporated Los Angeles County. SoCalGas owns in fee the portion within the City and has a long term lease with the County over the portion located in the County.

SoCalGas uses underground storage to balance gas supply with demand. Approximately 90% of the natural gas used in Southern California comes from out of state, primarily Texas, New Mexico, Wyoming and Canada. This supply arrives at a relatively steady rate year round, while the demand varies with weather. Gas is typically injected into storage in the summer and withdrawn in the winter.

Honor Rancho is a depleted oil reservoir formerly owned by Texaco. After a majority of the recoverable oil had been produced, SoCalGas acquired Honor Rancho from Texaco in 1975 and obtained approval of a Certificate of Public Convenience and Necessity (CPCN) from the

California Public Utilities Commission (CPUC) to convert the reservoir to natural gas storage operations. The reservoir is located between 10,000 and 11,000 feet underground and consists of porous and permeable sandstone that is sealed by several thousand feet of impermeable shale caprock. Gas is stored in the tiny pore spaces between sand grains.

Today, the Storage Field serves a vital function as one of four operating underground storage fields within the SoCalGas system. In addition, SoCalGas continues to produce crude oil as a byproduct of its storage operations at Honor Rancho, and the revenue from selling the oil is used as an offset to costs in order to lower gas rates for SoCalGas' customers. SoCalGas currently has 41 wells at Honor Rancho, consisting of 23 of the original oil producing wells and 18 wells drilled by SoCalGas.

On December 4, 2008 the California Public Utilities Commission (CPUC) approved SoCalGas' Biennial Cost Allocation Proceeding (BCAP) in Decision D.08-12-020. The CPUC Decision requires an expansion of the storage inventory at the Honor Rancho facility from 23 billion cubic feet to 28 billion cubic feet by the year 2015.

Project Description

To achieve the additional storage capacity required by the BCAP decision, SoCalGas plans to drill up to six new wells, install associated piping and equipment to connect the wells to the existing processing plant, and modify existing equipment to enhance performance. All wells, facilities and expansion activities will take place within the existing property boundaries of the Storage Field within the City of Santa Clarita. The first new well is scheduled to be drilled and operational in late 2009 or 2010 with the remaining wells installed through 2014. The new wells will be drilled from existing pads with minimal grading required. All drilling and well work is subject to approval by the California Division of Oil, Gas, and Geothermal Resources (DOGGR), and SoCalGas is seeking approval of a modified Certificate of Public Convenience and Necessity (CPCN) for the Storage Field in connection with the proposed Project.

On July 13, 2009, SoCalGas submitted an application to the CPUC for approval of the Storage Field expansion project. The application materials were forwarded to the City shortly after the filing and are available at: <http://www.socalgas.com/regulatory/A0907xxx.shtml>. As noted in the application materials, the Storage Field lies within a canyon and is not readily visible or otherwise perceptible outside of the Storage Filed. SoCalGas has reviewed nearby land uses and determined that the nearest residential uses are located over half a mile from the nearest proposed well sites and that no sensitive uses are located adjacent to or within the vicinity of the project site.

SoCalGas notes that the proposed activities are consistent with the current Storage field operations and use. In light of the nature of the proposed activities and the environmental setting, SoCalGas has requested that the CPUC find that the proposed project is categorically exempt under the California Environmental Quality Act. SoCalGas is also seeking confirmation of CPUC's regulatory authority over the Storage Field operations.

Consistent with CPUC filing requirements, SoCalGas has provided a bill insert notifying ratepayers about the project. In addition, SoCalGas will continue to keep the City informed of the application status and proceedings.

Basis for Permitting Exemption

SoCalGas requests confirmation that the proposed Storage Field expansion activities do not require any discretionary or ministerial permits from the City.

As noted above, SoCalGas is regulated by the California Public Utilities Commission. The CPUC originally approved a CPCN for the Honor Rancho Storage Field in September 1975. Article XII, Section 8 of the California Constitution prohibits cities from regulating activities over which the Legislature grants regulatory power to the CPUC. The Legislature grants the CPUC broad regulatory powers in Public Utilities Code sections 701 and 768.

Within the City, the zoning for the Storage Field property is Business Park, Residential and Special Purpose. Under the City's General Plan, the property is currently designated Public/Institutional. As noted above, the storage field use at this location was approved by the CPUC in 1975. Moreover, the Storage Field use predates the City's incorporation and adoption of these planning and zoning regulations. For these reasons, SoCalGas does not believe that any planning or zoning approvals are required for the expansion.

We appreciate your assistance in this matter. Please do not hesitate to contact me at 626-397-4951 if you need any additional information.

Sincerely,



Tony Tartaglia
Public Affairs Manager

cc: E. de Llanos (w/o attachment)
D. Gilmore (w/o attachment)
D. Houston (w/o attachment)
D. Kissane (w/o attachment)
J. Mansdorfer (w/o attachment)
M. Mizrahi (w/o attachment)
J. Mumford (w/o attachment)
J. Pong (w/o attachment)
J. Smisko (w/attachment)



City of
SANTA CLARITA

23920 Valencia Boulevard • Suite 300 • Santa Clarita, California 91355-2196
Phone: (661) 259-2489 • FAX: (661) 259-8125
www.santa-clarita.com

August 14, 2009

Tony Tartaglia
Public Affairs Manager
Southern California Gas Company
1214 E. Green Street
Pasadena, CA 91106

Dear Mr. Tartaglia:

Subject: Southern California Gas Company Honor Rancho Storage Field Expansion Project

Thank you for your July 23, 2009, letter regarding the expansion of the Honor Rancho Natural Gas Storage Facility. Based on the information provided in your letter, you will be expanding your existing storage facility from 23 billion cubic feet to 28 billion cubic feet by the year 2015 in compliance with California Public Utilities Commission (CPUC) Decision D.08-12-020. In order to increase the natural gas storage area, the installation of six (6) new wells, associated equipment, and piping will be required within the property boundaries of the existing Storage Field in the City of Santa Clarita. This work will be subject to the approval of the California Division of Oil, Gas, and Geothermal Resources (DOGGR).

Since the proposed project is regulated by the CPUC and DOGGR, the City is preempted from any regulation, and no further review by the City is required for the proposed expansion project. Please pursue all appropriate permits from those agencies including all documentation required under the California Environmental Quality Act (CEQA).

If you have any questions, please do not hesitate to contact me or Associate Planner, Patrick Leclair at (661) 255-4330.

Sincerely,


Paul D. Brozman
Director of Community Development

PDB:PL:lep
S:\CD\Current\2009\Honor Rancho Natural Gas Storage Letter.doc

cc: Lisa Webber, AICP, Planning Manager
Jason Smisko, Senior Planner
Patrick Leclair, Associate Planner



ATTACHMENT – 2

DECLARATION OF JAMES D. MANSDORFER

DECLARATION OF JAMES D. MANSDORFER

ON BEHALF OF SOUTHERN CALIFORNIA GAS COMPANY

1. My name is James D. Mansdorfer. I am the Storage Engineering Manager for Southern California Gas Company (“SoCalGas”). I have previously submitted testimony to this Commission.

2. My declaration addresses two issues raised by Administrative Law Judge (“ALJ”) Smith in his December 15, 2009 ruling. Those issues involve SoCalGas’ brine disposal proposal and an area resident’s concern over potential noise from nighttime drilling during the Expansion Project.

SOCALGAS' BRINE DISPOSAL PROPOSAL

3. On the brine disposal issue, ALJ Smith's ruling ordered as follows:

Not later than January 15, 2010, SoCalGas must file and serve documentation showing that the Environmental Impact Report certified in D.84923 was amended to permit re-injection of brine. If SoCalGas is not able to provide documentation showing that the certified in D.84923 has been amended to permit re-injection of brine, SoCalGas must file and serve supplemental information explaining why the proposal to re-inject brine is not a substantial change from the mitigation measures adopted by D.84923.

4. SoCalGas can find no evidence that the Environmental Impact Report (“EIR”) certified in D.84923 was amended to permit re-injection of brine. However, SoCalGas believes that this was not necessary because an amendment to the EIR to allow other methods of brine disposal was never required.

5. A number of documents related to the alternatives for brine disposal have been located by SoCalGas. The Draft EIR includes an Environmental Data Statement (“EDS”) that was prepared by Woodward-Envicon, Inc. for SoCalGas (dated October 7, 1974). This report contains much the same information that a Proponent’s Environmental Assessment would contain. The EDS was submitted by SoCalGas to the Commission in connection with preparation of the Draft EIR and was included in the Draft EIR as Appendix A. The Draft EIR states that the EDS was reviewed by the Commission and other state and local agencies, and where necessary, SoCalGas

1 revised or corrected the EDS per staff's requests. (Draft EIR, p. 1-1.) "The EDS, with these
2 corrections and amendments, along with the Notice of Completion and attachments thereto
3 constitute the Commission's Draft EIR for the proposed project." (Draft EIR, p. 1-1.)

4 6. A major environmental issue considered in the Draft EIR was the effect of waste water
5 discharge on water quality. The EDS concluded that "[L]arge amounts of heavy metals from the
6 dehydration waste water are not expected to be removed by the treatment methods and will be
7 discharged into the ocean." (Draft EIR, Appendix A, p. 1-25). To address this impact, the EIR
8 expressly considered four alternative waste water disposal techniques (*see* Exhibit A). The EIR
9 acknowledges that "All of these alternatives are feasible and could conceivably be used at some
10 time during the operating life of the proposed project." Thus, the EIR specifically contemplated
11 alternative waste water disposal methods and acknowledged that they could be employed in the
12 future. The Draft EIR specifically acknowledges re-injection into reservoirs other than the
13 storage reservoir as being an alternative that could be used during the life of the project.

14 7. The Draft EIR treats the off-site disposal and ocean discharge of brine as an initial
15 approach to brine disposal and leaves open the possibility of substituting any of the other
16 alternative brine disposal methods in the future. Response to Data Request #108 in the EIR
17 states that "Analyses have been performed by SoCal to determine the various environmental,
18 operational and economic advantages of several possible techniques for the disposal of waste
19 water. All such analyses indicate the best **current** alternative is to dispose of waste fluids by
20 trucking to a licensed commercial water treatment and disposal facility in Santa Paula. Because
21 of economic considerations, SoCal will contract for a total disposal service to include trucking
22 and pickup at the project site." (Draft EIR, Appendix B (emphasis added).)

23 8. Other documents in SoCalGas' files discuss a proposed regional brine disposal pipeline
24 that was proposed at the time to be built jointly by the Ventura and Los Angeles County
25 Sanitation Districts, from the Newhall area (near Honor Rancho) to Oxnard, with ocean outfall
26 discharge. This project would have provided for brine from various sources to be collected,
27 treated, and disposed of in the ocean. It is apparent that this pipeline would have been the best
28 long-term solution to dispose of the produced brine if it had been built, and that hauling brine to
29 the Santa Clara Waste Water ("SCWW") facility in Santa Paula represented the best interim

1 solution until the Newhall-to-Oxnard pipeline was built because it did not require any capital
2 investment. SCWW was a commercial treatment and disposal facility with an existing brine
3 pipeline going from Santa Paula to ocean outfall at Oxnard.

4 9. The alternatives discussed in the EIR include reinjection into the storage reservoir or
5 injection into other reservoirs.

6 10. The proposed Newhall to Oxnard brine disposal pipeline was never built.

7 11. Initially after start-up of Honor Rancho, the produced brine was hauled to SCWW,
8 following the preferred alternative in the EIR: “Hauling to a licensed waste water disposal
9 facility for eventual disposal by ocean outfall discharge . . .”

10 12. SoCalGas has located memos and reports that discuss the problems that occurred with the
11 off-site brine disposal measure at Honor Rancho after start-up. These documents indicate that the
12 Honor Rancho brine had a Biological Oxygen Demand (“BOD”) that exceeded the specifications
13 at SCWW.

14 13. One method for dealing with BOD was to construct a facility to reduce the BOD;
15 however, this measure was cost-prohibitive. Furthermore, there was concern that SCWW was
16 not going to continue as an ongoing entity. If SCWW ceased to exist, investments in BOD
17 reduction measures would have been lost.¹

18 14. After it became apparent that the brine could no longer be disposed of at SCWW, a
19 number of alternatives were examined and used. For some time, the brine water was being
20 trucked north on the Interstate 5 freeway over the grapevine to a disposal facility in the San
21 Joaquin Valley. The disposal cost and trucking cost were quite high, and reliability of disposal
22 during critical cold weather periods was an issue because of Interstate 5 freeway snow closures.

23 15. SoCalGas also tried using a licensed local waste water disposal operator that injected
24 water into a well in the Placerita oil field. However, this alternative was discontinued after
25 SoCalGas became concerned with reliability of methods employed by this small operator.

¹ SCWW is still an ongoing entity as of the end of 2009.

1 16. SoCalGas approached the larger oil companies operating in the area about having them
2 take the brine for disposal or use in water-flooding operations. However, those companies
3 already had excess brine production of their own, and nothing could be worked out.

4 17. SoCalGas ultimately implemented another one of the brine disposal alternatives that was
5 described in the EIR. Since implementation of the brine injection project in 1988 following
6 approval by the California Department of Conservation, Division of Oil, Gas, and Geothermal
7 Resources (“DOGGR”), all produced brine has been re-injected into a subsurface salt water
8 reservoir located on-site.

9 18. Having a reliable method of disposing of waste water is absolutely critical to reliability of
10 storage services. During periods of high gas withdrawal, brine is unavoidably produced with the
11 gas. If the brine cannot be disposed of, the gas withdrawal would have to be stopped.

12 19. The DOGGR is the state agency that has been granted primacy from the federal
13 Environmental Protection Agency (“EPA”) under provisions of the Underground Injection
14 Control (“UIC”) program. The UIC program was created by the Safe Drinking Water Act. This
15 primacy authority gives DOGGR the authority to approve and oversee Class II disposal wells.
16 (See Exhibit B)

17 20. In 1987, SoCalGas proposed a project to DOGGR to dispose of water into the Pico (also
18 known as Yule) zone. This zone already contained brine that is similar in composition to the
19 brine produced at Honor Rancho. DOGGR approved the project under terms of the Project
20 Approval Letter, which is attached as Exhibit C.

21 21. SoCalGas did not apply to the Commission for approval of a brine disposal project
22 because DOGGR, and not the Commission, has the vested authority to approve underground
23 injection projects. DOGGR, in conjunction with State Water Resources Control Board, ensures
24 that potable water aquifers are not negatively impacted by Class II injection wells. DOGGR
25 provides data to the EPA on its program and is periodically audited by the EPA to ensure
26 compliance with the UIC program. DOGGR also witnesses annual tests on all water disposal
27 wells to demonstrate that injected fluids are confined to the intended injection zones. The brine

1 disposal project did not trigger any discretionary approvals by the Commission, thus an
2 amendment to the EIR was not triggered.

3 22. SoCalGas currently has three wells at Honor Rancho approved by DOGGR as water
4 disposal wells. SoCalGas has discussed with DOGGR the proposed addition of three additional
5 water disposal wells (as described in the Application). Since these additional wells will inject
6 similar brine into the same zone as is currently approved for injection, DOGGR has indicated
7 that it will treat this as a simple expansion of the previously approved project, subject to the same
8 conditions.

9 23. Based on my review of all relevant documents, it is my conclusion that SoCalGas
10 submitted the EDS to the Commission with the preferred brine disposal alternative (*i.e.*, hauling
11 to a licensed waste water disposal facility for eventual disposal by ocean outfall discharge)
12 because SoCalGas believed that the Newhall-to-Oxnard pipeline would be built, the “haul”
13 distance would have been short, and that this represented the lowest cost alternative. If
14 SoCalGas had known the Newhall-to-Oxnard pipeline would not be an option, I believe that the
15 secondary alternative of “injection into other reservoirs” would have been the preferred
16 alternative from the outset. If the brine has to be hauled long distances, the cost and the
17 environmental impacts of injecting on site are much lower, and the higher initial cost for the
18 disposal wells is paid back relatively quickly. Although a small amount of electric energy is
19 required to pump the brine into the disposal wells, it is many times lower than the energy used by
20 trucking, and there is no impact to air or traffic.

21 24. Because injection of brine into reservoirs other than the storage zone was designated as
22 an alternative that could be used during the operating life of the project in the EIR certified in
23 D.84923, and because SoCalGas obtained all required approvals from the designated agency
24 (*i.e.*, DOGGR), the EIR did not need to be amended to permit re-injection of the brine and the
25 proposal to increase the amount of brine injection is not a substantial change from the mitigation
26 measures adopted by D.84923.

1 **NOISE FROM NIGHTTIME DRILLING**

2 25. The ALJ's ruling ordered SoCalGas to answer the following question:

3 Why the Commission should find the Expansion Project to be exempt from any
4 environmental review when the Commission has been informed that a potentially
5 significant negative impact may result from the Expansion Project.

6 26. The ruling explains that the source of concern that potentially a significant negative
7 impact may result from the project is an August 13, 2009 letter sent by a local area resident (Mr.
8 Brian Roney) to the Commission's Public Advisor opposing the drilling schedule "as it is
9 intrusive and a nuisance to hear drills operating all night and day." (*See Exhibit E*)

10 27. Mr. Roney's concern is over SoCalGas' proposed drilling plan for the Expansion Project,
11 where drilling of up to six new wells will take place on a 24-hour/7-day-per-week ("24/7")
12 schedule.²

13 28. Normal construction activity, other than drilling operations, would occur Monday
14 through Saturday from 6 a.m. to 6 p.m. The activities would include running backhoes, dump
15 trucks, welding rigs, crew vehicles, and other construction equipment as needed.

16 29. In contrast to the above construction activities, well drilling operations are required to be
17 a 24/7 operation until the new well is completed. The primary reason for the continuous 24/7
18 operation is that as each section of the well is drilled, the exposed hole will become more
19 unstable with time and is at risk of collapse the longer it is exposed to the drilling mud. When
20 the drilling mud remains in contact with the exposed drilled formations, such as clay or shale, for
21 extended periods of time, these types of formations become hydrated by the drilling mud. This
22 hydration process causes these types of rock to become mechanically incompetent (crumbling or
23 swelling), which, in turn, puts the hole at risk for collapsing on the drill string and ultimately
24 losing the newly drilled hole. If the hole collapses, the entire drilling process must be repeated.
25 Thus, it is imperative that the initial well-drilling operation run continuously so that the hole can
26 be drilled as quickly as possible so that well casing can be successfully installed and the well
27 ultimately completed. Thus, SoCalGas must conduct drilling operations continuously.

² See Application, Appendix A, *Honor Rancho Expansion Project Design and Description*, p. 1-29.

1 30. SoCalGas believes that the potential impacts of these drilling operations on area residents
2 will be less than significant because of design considerations and best management practices
3 (also referred to as “BMPs”) incorporated into the project. In section 1.9.5 of its Project
4 Description, SoCalGas discusses its Noise Control Plan, which states,

5 Construction will comply with applicable Los Angeles County and City of Santa Clarita
6 noise regulations. Construction will typically occur during daytime hours weekdays and
7 Saturdays. In cases where night-time construction will be necessary (e.g. during well
8 drilling), best management practices will be followed to minimize construction noise that
9 may impact sensitive receptors. Additional design features could include use of quieter
10 equipment or further insulation of noise-generating equipment.

11 31. SoCalGas’ best management practices on reducing noise are three-fold: (1) choice of
12 remote location for well drilling, which includes sound-reducing terrain between the drilling site
13 and residential areas; (2) use of sound suppression or sound-deadening devices on its
14 construction, drilling and stationary equipment; and (3) noise monitoring to ensure acceptable
15 levels of noise during the Expansion Project.

16 32. Both the City of Santa Clarita and the County of Los Angeles have noise ordinances
17 (attached in Exhibit F) which provide threshold noise levels (measured in decibels, or “dBA”)
18 for residential and commercial areas, during daytime and nighttime hours.

19 33. Best Management Practice (Location) – A first measure in determining noise impacts on
20 sensitive receptors is the distance from the sensitive receptors. The drill sites are situated such
21 that the nearest residential receptor is an apartment complex at Copper Hill Dr. and Kelly
22 Johnson Parkway. The complex is within the City of Santa Clarita and is approximately 3,000
23 feet from the closest drill pad designated as BD3&4. Mr. Roney’s residence is within the County
24 of Los Angeles and is approximately 11,000 feet (approximately two miles) away from the
25 nearest proposed well location (C7). (See Exhibit D for a map of the proposed drilling sites in
26 relation to area residences)

27 34. At a distance of 3,000 feet, much less 11,000 feet, well drilling activities will not cause a
28 noise nuisance to area residents.

1 35. In 2007, SoCalGas monitored noise levels associated with well drilling activities at the
2 Honor Rancho Storage Field, at the W26 well site (*see* Exhibit G).³ Readings at 150 feet from
3 the rig had an average reading of 80.2 dBA. The distance law of sound shows that at 3,000 feet
4 and 11,000 feet, those reads would be approximately 54.2 dBA and 42.9 dBA, respectively. (*See*
5 Table 1 in Exhibit H) These levels are similar to a typical office or quiet stream (*see* Table 2 –
6 Sound Intensities, in Exhibit H) and are below the City of Santa Clarita residential day and night
7 limits of 65 dBA and 55 dBA, respectively. For residential areas outside the City limits, the
8 level is also below the residential day and night noise limits set by the County of Los Angeles of
9 50 dBA and 45 dBA, respectively.

10 36. Furthermore, the terrain between the proposed drilling sites and area residences will
11 provide additional noise absorption. The Copper Hill receptor is behind both a hill that is 100
12 feet higher than the nearest drill pad (BD3 and BD4), and a Walmart shopping complex. As for
13 Mr. Roney’s residence, there are multiple mountain ridges between the nearest drill site (C7) and
14 his residence. Exhibit D shows a depiction of the topographical profile from Mr. Roney’s
15 residence to drill site C7 and shows the highest ridge is 233 feet above the drill site.

16 37. These physical conditions demonstrate that the likely noise contribution from
17 construction activities will be well below the limits set by the jurisdictions (which in Mr.
18 Roney’s case is the County of Los Angeles).

19 38. It should be noted that Mr. Roney’s residence is approximately 1,400 feet from, and in
20 direct line-of-sight to, the Interstate 5 freeway. Freeway noise would have a greater noise impact
21 to that area. Since the issuance of ALJ Smith’s ruling, SoCalGas has commissioned a third-party
22 consultant to take baseline noise level readings at the closest sensitive receptors, including the
23 Roney residence. Those readings confirm that the existing noise levels would exceed any noise

³ The WEZU 26 (W26) well site activities were monitored for noise during 2007 drilling operations. The data was used to model potential noise levels for a proposed project at SoCalGas’ Goleta Storage Field that would utilize similar drilling equipment. The equipment used for the Honor Rancho Expansion drilling operations would likely be quieter than the W26 equipment. The W26 rig was a “compound rig” that had separate diesel engines placed on the rig to power each mechanical operation. The rig had a total of six independent diesel engines ranging in size up to 500 HP. The Honor Rancho rig will have electric motors on the rig that will be powered by three natural gas-fired generators located adjacent to the rig. Two generation units are needed to run the rig while one unit is a back-up. The electric motors will operate substantially quieter than the diesel engines monitored in 2007.

1 caused by the proposed drilling activities and in some cases, already exceed the City or County
2 limits. (See Exhibit I)

3 39. Best Management Practices (Construction and Drilling Equipment) for the Expansion
4 Project include the following: All equipment will be fitted with appropriate sound-deadening
5 devices such as mufflers or silencers. Stationary equipment will consist of the drilling rig and all
6 of its appurtenances. Generation equipment for running the rig will be located adjacent to the
7 rig, will be natural gas-fired, and partially enclosed within a cargo container. The mufflers and
8 pollution control equipment on the generators will reduce the exhaust noise to a significantly
9 lower level. Metal-to-metal activities⁴ will occur during drilling several times per hour,
10 depending on how fast the drilling or drill string removal is progressing. If metal-to-metal noise
11 is determined to be a nuisance and further implementation of best management practices is
12 necessary to meet City/County noise limits, BMPs such as acoustical blanketing⁵ of the drill rig
13 or adding other sound-deadening materials in proximity to the drill rig will also be implemented.
14 Adding such BMPs is a common practice when drilling activities occur less than 1,500 feet from
15 residential areas and are readily available should the monitoring determine they are needed.

16 40. Best Management Practices (Noise Monitoring) – As mentioned above, baseline noise
17 levels have been measured and documented for various sites. (See Exhibit I) Those readings
18 show that at some locations, pre-existing ambient noise levels exceed the noise levels set by the
19 two jurisdictions (City of Santa Clarita and County of Los Angeles).

20 41. As a best management practice for the Expansion Project, sound levels will be read bi-
21 monthly⁶ to verify levels have not exceeded any significance thresholds in light of pre-existing
22 background conditions. If for some reason noise levels exceed those thresholds, SoCalGas will

⁴ Metal-to-metal activities occur mainly when a drill string stack is being added or removed from the down-hole drill string. The Paredon Project EIR (Paredon Project in Carpinteria, CA) performed exhaustive noise studies and references a noise study performed by Arup Acoustics in 2004 (*see* Exhibit G). The study indicated an equivalent noise level of 82 dBA from drilling operations and a noise level of 80 dBA from metal-to-metal activities at 50 feet from the drilling activities. The Paredon EIR estimates that metal-to-metal activities occur for less than 9 minutes of a 24 hour drilling day.

⁵ Acoustical blanketing consists of wrapping a portion of the derrick in sound-deadening blankets. The blankets are heavy blankets that are approximately 2 to 3 inches thick, consist of mineral wool or fiberglass type insulating materials and can attenuate 10 to 20 dBA at the source.

⁶ Bi-monthly monitoring is the chosen frequency since the rig will be stationary at each well location for 2 to 3 months. The noise generated at each location will be very similar for the entire duration at each location.

1 incorporate additional noise suppressors or sound-deadening materials on or adjacent to the
2 equipment.

3 42. Since the ALJ's ruling, SoCalGas has approached Mr. Roney to better understand his
4 concerns and to explain why the drilling (even during nighttime hours) should not cause a noise
5 nuisance. SoCalGas also explained additional steps it plans to take if in fact noise levels from its
6 drilling activities exceed significance thresholds.

7 43. Mr. Roney issued a second letter to the Public Advisor and to ALJ Smith on December
8 22, 2009, in which he discusses his interaction with SoCalGas. In his second letter, Mr. Roney
9 states, "I am encouraged by this feedback and am hopeful that SCG will implement any and all
10 noise mitigation necessary to ensure that my residence is not bothered by this proposed project."
11 (See Exhibit E)

12 44. SoCalGas is confident that its best management practices, including its commitment to
13 monitor noise levels during the construction period and to reach out to community members for
14 whom project activities may be perceptible, will ensure that potential noise impacts associated
15 with proposed drilling activities will not be significant.

16
17
18 I hereby declare under penalty of perjury that the foregoing is true and correct to the best
19 of my knowledge.

20
21 Dated this 15 day of January, at Los Angeles, California.

22
23
24 _____
25 JAMES D. MANSDORFER

EXHIBIT A

EXCERPT FROM THE ENVIRONMENTAL DATA STATEMENT (“EDS”)
PREPARED BY WOODWARD-ENVICON, INC.,

WHICH IS ATTACHED TO THE DRAFT ENVIRONMENTAL IMPACT
REPORT (“EIR”) PREPARED BY COMMISSION STAFF,

DISCUSSING BRINE MITIGATION ALTERNATIVES

Electrically powered prime-movers are also feasible and would eliminate air emissions at the site. Some additional emissions would occur at the electrical generating plant, however, and additional generating plant capacity would be needed during the high electrical demand summer months since compression for underground storage would normally be at peak operation at this time. Electrical transformer stations and transmission lines would also have to meet the increased load.

Gasoline or diesel-fueled prime movers are also alternatives, but the use of these fuels would result in higher air emissions, high fuel costs, and the need to provide separate transportation of these fuels to the Honor Rancho facility.

Alternative Waste Water Disposal Techniques

Waste water which is removed from withdrawn gas in the dehydration units or otherwise produced can be disposed of by:

- Reinjection into the storage reservoir
- Injection into other reservoirs
- Treatment to allow for discharge to surface or ground waters
- Discharge to public treatment systems.

All of these alternatives are feasible and could conceivably be used at some time during the operating life of the proposed storage project. Hauling to a licensed waste water disposal facility for eventual disposal by ocean outfall discharge is the preferred disposal technique because of the availability of this facility, acceptable costs, and low overall environmental impact.

EXHIBIT B

EXCERPTS FROM PRIMACY AUTHORITY DOCUMENTS FOR DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES (“DOGGR”)

link to full document at:
ftp://ftp.consrv.ca.gov/pub/oil/Aquifer_Exemption.pdf



State of California

GOVERNOR'S OFFICE
SACRAMENTO 95814

EDMUND G. BROWN JR.
GOVERNOR

916/445-2843

April 20, 1981

Administrator
United States Environmental
Protection Agency
Washington, D. C. 20460

Dear Sir:

The State of California supported the passage in 1980 of H. R. 8117, which added Section 1425 to the Safe Drinking Water Act. This section deals with underground injection wells related to the recovery and production of oil and natural gas (EPA's Class II wells). This recent addition to the Act allows states with programs that effectively protect drinking water sources through the regulation of Class II injection wells to continue their programs in full compatibility with the Safe Drinking Water Act.

The California Department of Conservation, Division of Oil and Gas, has effectively supervised and regulated underground injection activities related to oil and natural gas production for the past 37 years. I therefore request approval of the Division's application for primacy in the supervision of Class II well operations under the Underground Injection Control Program, filed pursuant to Section 1425 of the Safe Drinking Water Act.

The California Department of Conservation's Division of Oil and Gas with the cooperation of the State Water Resources Control Board is willing and able to continue to carry out the program described in the Division's application for primacy.

Sincerely,

A handwritten signature in black ink, appearing to read "Edmund G. Brown Jr."

EDMUND G. BROWN JR.
Governor

APPLICATION FOR PRIMACY IN THE
REGULATION OF CLASS II INJECTION WELLS
UNDER SECTION 1425 OF THE
SAFE DRINKING WATER ACT

The preparation of this application was financed, in part, through an Underground Injection Control Program grant from the U. S. Environmental Protection Agency, Region IX, under the provisions of Section 1442(b)(3)(c) of the Safe Drinking Water Act as amended. The grant was administered by the California State Water Resources Control Board through Interagency Agreement No. O-099-420-0 with the California Department of Conservation, Division of Oil and Gas.



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)
Attorney General

3580 WILSHIRE BLVD.
LOS ANGELES 90010
(213) 736-2125

April 1, 1981

Administrator
United States Environmental
Protection Agency
Washington, D.C. 20460

Re: Legal Authority of California
Division of Oil and Gas to
Carry Out Class II Injection
Well Program

Gentlemen:

I am a Deputy Attorney General for the State of California whose responsibilities include advising and representing the California Division of Oil and Gas in legal matters. By virtue of these responsibilities I am familiar with Division 3 of the California Public Resources Code, which contains the statutory authority for all of the Division's functions. I am familiar also with Chapter 4 of Division 2 of Title 14 of the California Administrative Code, which contains the regulations adopted by the Division in furtherance of its functions set forth in the Public Resources Code.

I have reviewed the program description being submitted by the California Division of Oil and Gas as part of its application under section 1425 of the Safe Drinking Water Act for primary enforcement responsibility for the control of underground injection related to the production of oil and gas (Class II well injection program). I have concluded that the California Division of Oil and Gas has the legal authority to carry out all aspects of the program described in its application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alan V. Hager".

ALAN V. HAGER
Deputy Attorney General

AVH:mjp

MEMORANDUM OF AGREEMENT
BETWEEN THE ENVIRONMENTAL PROTECTION AGENCY AND
THE CALIFORNIA DIVISION OF OIL AND GAS

UIC PROGRAM
SECTION 1425 - SDWA

The California Division of Oil and Gas (CDOG) of the Department of Conservation and the Environmental Protection Agency (EPA) hereby agree to carry out the terms of the Underground Injection Control Program as listed below. These terms provide a commitment that the CDOG will carry out the program as authorized by Section 1425 of the Safe Drinking Water Act and the EPA will exercise its oversight authority consistent with procedures agreed upon by both agencies.

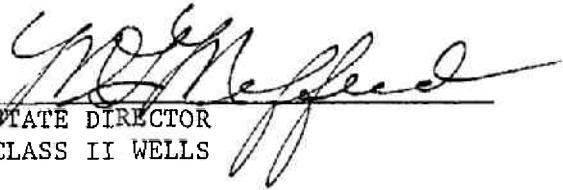
The terms are as follows:

1. The Division of Oil and Gas will carry out the program as described in the application for primacy of Class II wells, and will support the program by an appropriate level of staff and resources to assure that underground sources of drinking water are protected.
2. The Division of Oil and Gas will recognize the Environmental Protection Agency's right to examine any pertinent state files pertaining to underground injection control.
3. The Division of Oil and Gas will participate with the EPA in the inspection of wells or operator records to the fullest extent possible. EPA shall notify the division at least ten days prior to any proposed inspection and EPA shall describe the well(s) or record(s) to be inspected and the purpose of such inspection.
4. The Division of Oil and Gas recognizes EPA's authority to take federal enforcement action under Section 1423 of the Safe Drinking Water Act in cases where the state fails to take adequate enforcement action against a person violating the applicable requirements of the Underground Injection Control Program.
5. The Division of Oil and Gas agrees to provide the EPA an annual report on the operation of the state program, the content of which may be negotiated between the EPA and the Division of Oil and Gas from time to time.
6. Aquifer exemptions for Class II wells will be consistent with aquifer exemptions for the rest of the UIC program.
7. If appropriate and necessary, provisions for implementing a joint processing procedure may be negotiated between the EPA and CDOG for those facilities and activities which require permits from both agencies under different programs.

Memorandum of Agreement Between the
Environmental Protection Agency and
California Division of Oil and Gas
Page 2

8. For any mechanical integrity tests, other than those specified or justified in the program application, the CDOG will notify the appropriate regional administrator and provide enough information about the proposed test that a judgment about its usefulness and reliability may be made.

REGIONAL ADMINISTRATOR
ENVIRONMENTAL PROTECTION AGENCY
REGION IX



STATE DIRECTOR
CLASS II WELLS

Date

EXHIBIT C

DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES (“DOGGR”)
APPROVAL LETTER TO SOCALGAS

DEPARTMENT OF CONSERVATION

DIVISION OF OIL AND GAS

6401 TELEPHONE ROAD, SUITE 240

URA, CALIFORNIA 93003-4458

(651) 654-4761

ATTACHMENT II



August 24, 1987

R. M. Morrow, Agent
Southern Calif. Gas Co.
810 S. Flower Street
Los Angeles, CA 90017

WATER DISPOSAL PROJECT
Honor Rancho Field
Yule Zone

Dear Mr. Morrow:

Your proposal to initiate a water disposal project in the Yule zone of the Honor Rancho field is approved provided:

1. Form OG105 or Form OG107 is used whenever a new well is to be drilled for use as an injection well, or whenever an existing well is to be converted to an injection well, even if no work is required. (Specific requirements will be outlined in our answer to your notice.)
2. A monthly injection report is furnished this division listing the amount of fluid injected and the surface pressure required for each disposal well.
3. A chemical analysis of the fluid to be injected is made and filed with this division whenever the source of injection fluid is changed, or as requested by this office.
4. An accurate, operating pressure gauge or chart is maintained at the wellhead at all times.
5. A fluid injection profile survey is made for each disposal well within three months after injection has commenced, at least once every year thereafter, after any significant anomalous rate or pressure change, or as requested by this office to confirm that the injection fluid is confined to the intended zones. The survey data shall be available for periodic inspection by personnel from this division.

ATTACHMENT II

Page 2

6. The following data are maintained for surveillance and evaluation of the project and are made available for periodic inspection by personnel from this division.
 - a. A graph of oil, water, and gas production rates vs. time for each pool.
 - b. A graph of tubing pressure, casing pressure and injection rate vs. time for each injection well.
- a. Prior to sustained injection, a rate-pressure test shall be made to determine an approved maximum gradient at the sand face at which fluids may be injected. The test shall begin at the hydrostatic gradient of the injection water to be used and shall continue until either the intended maximum injection pressure is reached or until the formation fractures, whichever occurs first. Prior to any subsequent injection above the approved gradient, additional rate-pressure tests shall be made. The results of these tests shall be submitted to this division for approval.

OR

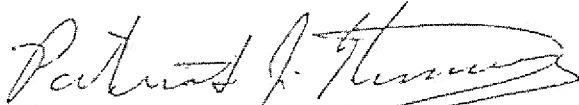
- b. The maximum allowable injection pressure gradient is limited to 0.8 psi per foot of depth as measured at the sand face. Prior to any sustained injection above this gradient, rate-pressure tests shall be made. The test shall begin at the hydrostatic gradient of the injection water to be used and shall continue until either the intended maximum injection pressure is reached or until the formation fractures, whichever occurs first. The results of these tests shall be submitted to this division for approval.

ATTACHMENT II

Page 3

8. Injection shall cease if any evidence of damage is observed or upon written notice from this division.
9. All injection will be through tubing and packer.
10. Any remedial work in the project area on idle, abandoned, or deeper-zone wells needed to protect oil, gas, or fresh-water zones will be the responsibility of the project or unit operator.

Sincerely,



Patrick J. Kinnear
Deputy Supervisor

PJK:mds:ljg

cc: Project File

ATTACHMENT I

PERMIT TO CONDUCT WELL OPERATIONS

WATER DISPOSAL

308

(field code)

03

(area code)

20

(new pool code)

R. M. Morrow, Agent

SOUTHERN CALIF. GAS CO.

810 S. Flower St.

Los Angeles, CA 90017

Ventura

, California

April 4, 1988

Your proposal to drill well "SD" 1
 A.P.I. No. 037-23517, Section 8, T. 4N, R. 16W, S.B., B. & M.,
 Honor Rancho field, Main area, Yule pool,
 Los Angeles County, dated 3/22/88, received 3/23/88 has been examined in conjunction with records
 filed in this office.

THE PROPOSAL IS APPROVED PROVIDED THAT:

1. The 13 3/8" casing is cemented with sufficient cement to fill behind this casing from the shoe to the ground surface.
2. Drilling fluid of a quality and in sufficient quantity is used to control all subsurface conditions in order to prevent blowouts.
3. Blowout prevention equipment conforming to DOG Class III 2M B requirements is installed on the 13 3/8" casing and maintained in operating condition at all times.
4. This office shall be consulted before sidetracking the well or running any additional casing.
5. Requirements specified in our approval of the project dated August 6, 1987 shall apply. Injection shall cease if any evidence of damage is observed, or upon written notice from this Division.
6. The maximum injection pressure does not exceed a gradient of 0.8 psi/ft.
7. This office shall be consulted before initiating any changes or additions to this proposed operation, or if operations are to be suspended.
9. THIS DIVISION SHALL BE NOTIFIED:
 - a. TO WITNESS a pressure test of the blowout prevention equipment prior to drilling out the shoe of the 13 3/8" casing. The blind/blank rams must be tested by the operator prior to calling the Division inspector. Test information of the blind/blank ram test must be entered on the tour sheet along with the signature of the person in charge.
 - b. TO WITNESS an injection profile survey within three months after injection has commenced.

Blanket Bond

MS:ljjg

Engineer Michael Stettner

Phone (805) 654-4761

M.G. MEFFORD, State Oil and Gas Supervisor

By Michael D. Stettner
Deputy Supervisor

A copy of this permit and the proposal must be posted at the well site prior to commencing operations.

Records for work done under this permit are due within 60 days after the work has been completed or the operations have been suspended.

EXHIBIT D

MAP OF THE PROPOSED DRILLING ACTIVITES IN RELATION TO
RESIDENTIAL AREAS
and
ELEVATION PROFILE

Exhibit D - Well site proximities to residential receptors.



Elevation Profile
Penrose to C7 Drill Site Peak #2
1347 feet

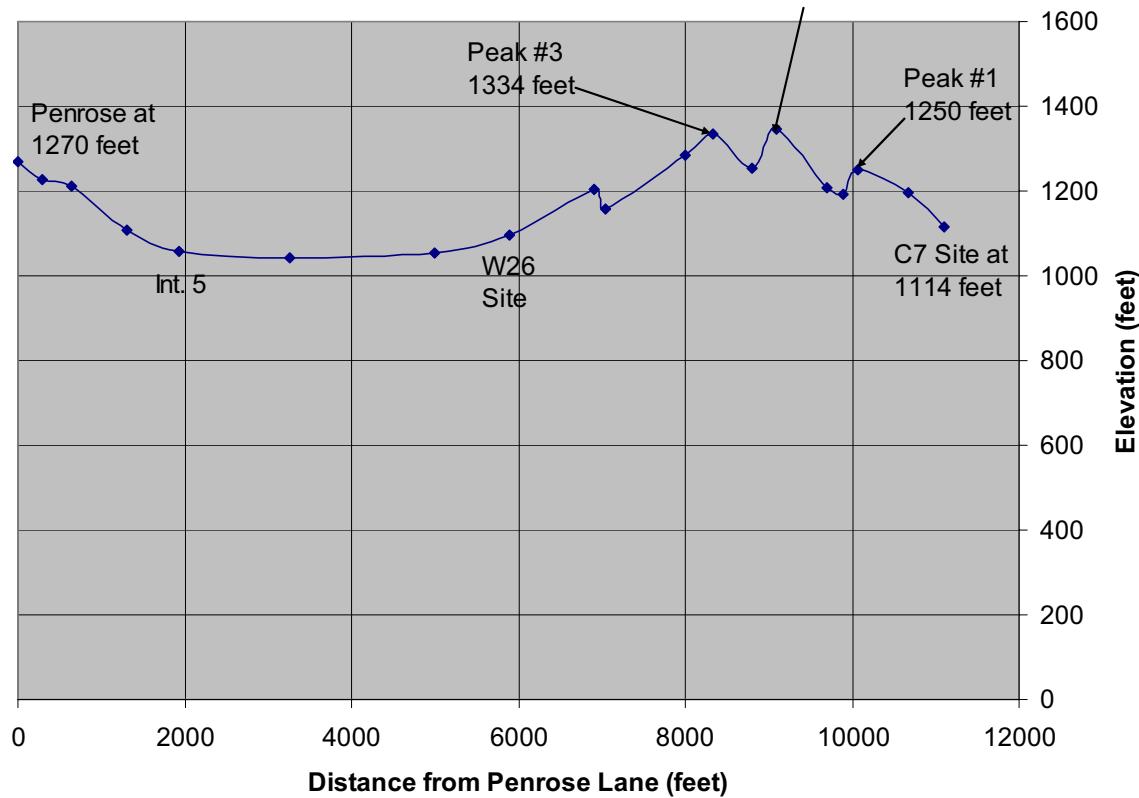


EXHIBIT E

LETTERS FROM MR. BRIAN RONEY
TO THE COMMISSION'S PUBLIC ADVISOR

RECEIVED

AUG 14 2009

PUBLIC ADVISOR
SOUTHERN CALIFORNIA

August 13, 2009

CPUC
Public Advisor
320 West 4th St. #500
Los Angeles, CA 90013

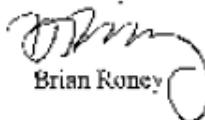
RE: CPUC APPLICATION #A.09-07-014

To Whom It May Concern,

Southern California Gas has applied to the California Public Utilities Commission to drill natural gas storage wells on property owned by SCG in the City of Santa Clarita. SCG has requested authority from the CPUC to drill 24 hours a day, seven days a week. In the past when similar drilling was conducted, the drone of the drills could be heard throughout the Castaic area at all hours of the night. These drilling sites are located directly across from the Hasley Hills neighborhood in Castaic where I live.

I am opposed to the drilling schedule as it is intrusive and a nuisance to hear the drills operating all night and day. Section 1.9.5 of the application indicates that "...best management practices will be followed to minimize construction noise that may impact sensitive receptors." As a nearby resident, I would be included in the definition of "sensitive receptors." I am requesting that the CPUC support the area homeowners by objecting to the 24/7 drilling schedule. No other construction project would ever be allowed to conduct operations in this manner. SCG should be held to the same standard.

Sincerely,


Brian Roney

30002 Penrose Lane
Castaic, CA 91384

December 22, 2009

Mr. Richard Smith
Administrative Law Judge
CPUC
Public Advisor
505 Van Ness Ave. #5007
San Francisco, CA 94102

**RE: CPUC APPLICATION A09-07-014
HONER RANCHO DRILLING**

Dear Mr. Smith,

Thank you for citing my letter of 8/13/09 to the CPUC regarding noise concerns with the above named project from Southern California Gas. Since that time I have been contacted and met with a representative of Southern California Gas to address my concerns and answer any questions regarding the project. Past drilling in this location was apparently conducted with little or no noise mitigation. The SCG representative indicated that they have numerous methods of implementing noise mitigation including blanketing the drilling platform and the installation of various sound insulation materials.

I was encouraged by this feedback and am hopeful that SCG will implement any and all noise mitigation necessary to ensure that my residence is not bothered by this proposed project.

Sincerely,

Brian Roney

30002 Penrose Lane
Castaic, CA 91384

EXHIBIT F

SUMMARIES OF THE
LOS ANGELES COUNTY CODE § 12.08.390 and
CITY OF SANTA CLARITA MUNICIPAL CODE § 11.44.040

Summary of the Los Angeles County Code § 12.08.390

Section 12.08.390 of the Los Angeles County Code (LACC) regulates noise levels between properties within Los Angeles County. Section 12.08.390 requires that “no person operate or cause to be operated, any source of sound at any location within the unincorporated county...when measured on any other property either incorporated or unincorporated, to exceed” the identified noise level standards for a cumulative period of more than 30 minutes in any hour. Section 12.08.390 contains additional time limits for higher noise level that occurs for shorter periods. The LACC exterior noise level standards are shown below

Noise Zone	Designated Noise Zone Land Use (Receptor property)	Time Interval	Exterior Noise Level (dBA)
I	Noise-sensitive area	Anytime	45
II	Residential properties	10:00 pm to 7:00 am (nighttime) 7:00 am to 10:00 pm (daytime)	45 50
III	Commercial properties	10:00 pm to 7:00 am (nighttime) 7:00 am to 10:00 pm (daytime)	55 60
IV	Industrial properties	Anytime	70

Summary of the City of Santa Clarita Municipal Code § 11.44.040

Section 11.44.040 of the Santa Clarita Municipal Code (SCMC) regulates noise levels between properties within Santa Clarita. According to section 11.44.040, it is unlawful for any person within Santa Clarita to produce or cause or allow to be produced noise levels to a receiving property in excess of the noise levels presented below. Section 11.44.040 also contains noise level adjustments based on the source, character, and duration of the noise.

Region	Time	Sound Level (dBA)
Residential zone	Day	65
Residential zone	Night	55
Commercial & manufacturing	Day	80
Commercial & manufacturing	Night	70

EXHIBIT G

EXCERPT FROM A
2007 SOCALGAS DRILLING NOISE STUDY
AT THE HONOR RANCHO STORAGE FIELD

Table 4.10.9 Estimated Equipment Specific Drilling Noise Levels

Equipment	Peak Day Fract. Of Time used	Sound Level at 50 feet (dBA)	Location	Proposed Project Attenuation Level, dBA	Resulting Sound Level, dBA at 50'
<i>Drilling</i>					
Mud Mixer	0.9	75	Ground Level	5	70
Mud Pumps (2)	0.9	71	Ground Level	5	66
Slickline engine	0.2	86	Truck-mounted	5	81
Shakers (2)	0.5	66	Ground Level	5	61
Mud Cleaner (2)	0.9	51	Ground Level	5	46
Well-logging unit cementing eq	0.2	86	Truck-mounted	5	81
Crane, 60-ton	0.2	89	Ground Level	5	84
Coil tubing unit	0.2	86	Truck-mounted	5	81
Backup alarms, voices, annunciators	0.006	94	Ground Level	5	89
"Metal-to-Metal" noise	0.002	80	Ground Level	10	70
"Metal-to-Metal" noise	0.002	80	Rig floor	5	75
Cutting Conveyor	0.9	80	Rig floor	0	80
Drill Rig motors	0.9	78	Rig floor	0	78
Drawline brakes noise	0.042	80	Rig floor	0	80
"Metal-to-Metal" noise	0.002	80	Boards	5	75
<i>Operations - Compressors</i>					
IR Compressors	1.0	86	IR building	15	71
Cooper Compressor	1.0	86	Cooper Building	15	71
White Compressors	1.0	75	Process area	0	75

Notes: All ground level and truck mounted equipment is attenuated by 8' wall. The SEL assumes that the slickline, well logging or coil tubing units are not in operation. SEL Metal-to-metal noise attenuated by pads. White compressor has lower noise level due to electric motors instead of IC engines. References and sources are included in Appendix H.

Drilling noise studies by the Bureau of Land Management (BLM 2001) indicate equivalent noise levels from drilling at 50 feet at 83 dBA. A noise study performed for drilling operations by Arup Acoustics (2004) indicates equivalent noise levels of 82 dBA from drilling operations and an SEL of 80 dBA from metal-on-metal activities at 50 feet from the drilling activities.

However, information on what specific activities were being undertaken and the details on the equipment arrangements, such as types of noise reduction techniques used, were not available for these studies, so a direct comparison is not possible.

The equipment-specific approach estimates that the maximum SEL associated with drilling equipment would be 92 dBA and the 24-hour equivalent sound level of 85 dBA, both at 50 feet from the drilling operations. The SEL would be primarily due to backup alarms on mobile equipment, particularly the crane. These levels are higher than those associated with the BLM and ARUP studies, most likely due to the lack of mitigation in this report's analysis.

The results of the estimated noise from the proposed drilling at the different receptors are presented in Table 4.10.10 below.

EXHIBIT H

TABLE 1
(DISTANCE OF LAW AND SOUND CALCULATION)
and

TABLE 2
(SOUND INTENSITIES CHART)

Table 1 – Distance Law of Sound

A statement of the distance law for field quantities:
L = sound level and r = distance from sound source
Sound level difference: $\Delta L = 20 \cdot \lg \frac{r_2}{r_1}$
or level at far distance $L_2 = L_1 - 20 \cdot \lg \frac{r_2}{r_1}$

For these cases:

$$L_2 = 80.2 \text{ dBA} - 20 * \log 3,000/150 = 54.2 \text{ dBA} \text{ (to apartments)}$$

$$L_2 = 80.2 \text{ dBA} - 20 * \log 11,000/150 = 42.9 \text{ dBA} \text{ (to Hasley Hills)}$$

Table 2 – Sound Intensities

SOUND INTENSITIES

Decibels	Degree	Loudness or Feeling
225		12" cannon @ 12 ft, in front & below
140		Jet Aircraft
		Artillery fire
130		Threshold of Pain
		>130 causes immediate ear damage
		Propeller aircraft at 5 meters
120		Hydraulic press, pneumatic rock drill
		Thunder, Diesel engine room
110		Nearby riveter
		Close to a train, ball mill
100	Very Loud	Boiler factory, home lawn mower
		Car horn at 5 meters, wood saw
90		Symphony or a band
		>90 regularly can cause ear damage
		Noisy factory
		Truck without muffler
80	Loud	Inside a high speed auto
		Police whistle, electric shaver
		Noisy office, alarm clock
70		Average radio
		Normal street noise
60	Moderate	Normal conversation, close up
50		Normal office noise, quiet stream
45		To awaken a sleeping person
40	Faint	Normal private office noise
		Residential neighborhood, no cars
30		Quiet conversation
20	Very Faint	Inside an empty theater
		Ticking of a watch
		Rustle of leaves
		Whisper
10		Sound proof room
		Threshold of Hearing
0		Absolute silence

Sound intensities are typically measured in decibels (db). A decibel is defined as 10 times the logarithm of the power ratio (power ratio is the ratio of the intensity of the sound to the intensity of an arbitrary standard point.) Normally a change of 1 db is the smallest volume change detectable by the human ear.

EXHIBIT I

2009 BASELINE AMBIENT NOISE STUDY FROM
PADRE ASSOCIATES, INC.

MEMORANDUM

PADRE ASSOCIATES, INC.

5450 Telegraph Road, Suite 101
Ventura, CA 93003

Tel: 805/644-2220
Fax: 805/644-2050

To: James Strader Date: January 11th, 2010
cc: Todd Van de Putte
From: Sierra Kelso Project No: 1002-0011
Subject: SoCalGas Honor Rancho Natural Gas Storage Facility – Baseline (Ambient) Noise Level Summary

At the direction of the Southern California Gas Company (SoCalGas), Padre Associates (Padre) has prepared the following memo in response to a request for an ambient (baseline) noise level summary within the vicinity of the SoCalGas' Honor Rancho Natural Gas Storage Facility. The Honor Rancho Facility is located in northern, unincorporated, Los Angeles County, near Valencia, California. Approximately half of the Honor Rancho Facility is located in the City of Santa Clarita, while the other half is located within the jurisdiction of Los Angeles County.

Key sections within this memo include background information regarding an overview of sound and noise characteristics; a brief discussion regarding noise regulation within the Honor Rancho Natural Gas Storage Facility area; as well as information regarding the existing ambient (baseline) noise environment and contributing noise sources within the Storage Facility area.

BACKGROUND INFORMATION

Overview of Sound and Noise Characteristics. The City of Santa Clarita, within its General Plan Noise Element, defines “Sound” as anything that is, or can be, heard. This definition differs slightly from “Noise”, which is generally defined as a sound which is unwanted or objectionable (City of Santa Clarita, General Plan, Noise Element 2000). The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance and, in the extreme, hearing impairment. The unit of measurement commonly used to describe a noise level is the decibel (dB). Decibels are measured on a logarithmic scale, which quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Thus, an increase of 3 dB to an existing noise environment is generally perceived as a “doubling” of the noise level; while a decrease of 3 dB is perceived as a “halving” of the noise level. According to the Department of Transportation Federal Highway Association, noise level increases of less than 3 decibels are not generally perceptible to the average human ear. Some sample typical sound pressure levels for common sounds are: rustle of leaves - 10 dB; ordinary conversation at 3 feet - 60 dB; power mower at 5 feet - 100 dB.

The duration of noise and the time period at which it occurs are important factors in determining the human response to sound. For example, noise-induced hearing loss is directly related to the magnitude, frequency and duration of exposure. Annoyance due to noise is also associated with how often noise is present and how long it persists. One approach to

quantifying time-varying noise levels is to calculate the Energy Equivalent Sound Level (Leq) for the time period of interest. The Leq represents a sound level which, if continuous would contain the same total acoustical energy as the actual time-varying noise, which occurs during the observation period. For the purposes of this memo, 15-minute Leq averages were used to determine existing or "ambient" noise levels.

The human ear is not equally sensitive to all frequencies within the sound spectrum. The "A-weighted" noise scale, which weights the frequencies to which humans are sensitive, is the primary scale used for noise measurements. Within this memo, all noise levels are measured and calculated in A-weighted decibels (dBA).

In a residential or other noise sensitive environment, noise is generally considered more disturbing at night than during the day. Thus, noise indices have been developed to account for the differences in intrusiveness between daytime and nighttime noise. The City of Santa Clarita and the County of Los Angeles both use the Community Noise Equivalency Level (CNEL) index for determining existing noise environments. The CNEL index results from an averaging of hourly Leqs for a 24-hour period, with a weighting factor applied to the evening and nighttime Leq values. The CNEL penalizes noise levels during the night (10 p.m. to 7 a.m.) by 10 dB to account for the increased sensitivity of people to noise after dark. Evening noise levels (7 p.m. to 10 p.m.) are penalized 5 dB by the CNEL. In general, the CNEL may be thought qualitatively as an accumulation of the noise associated with individual events occurring throughout a 24-hour period. The noise of each individual event is accounted for in a separate, discrete measurement that integrates the changing sound level over time as, for example, when an aircraft approaches, flies overhead, then continues off into the distance. These integrated sound levels for individual operations are referred to as Sound Exposure Levels or SELs. The accumulation of the SELs from each individual operation during a 24-hour period determines the CNEL for the day.

Noise Attenuation. Noise may attenuate, or lessen, based on a number of factors including distance from the noise source, topography, buildings, walls, vegetation or surface. According to the California Department of Transportation, "Technical Noise Supplement" (1998, available online at <http://www.dot.ca.gov/hq/env/noise/pub/Technical%20Noise%20Supplement.pdf>), sound from a small localized source (approximating a "point" source) radiates uniformly outward as it travels away from the source in a spherical pattern. The sound level attenuates or drops off at a rate of 6 dBA for each doubling of the distance (DD) (6 dBA/DD). This is called the point source attenuation rate for geometric spreading. Based on this assumption, a noise of 70 dBA, at a distance of 50 feet will likely be reduced to approximately 64 dBA at a distance of 100 feet. Noise from vehicular traffic, however is not a single, stationary point source of sound. The movement of the vehicles makes the source of the sound appear to emanate from a line (line source) rather than a point. As such, noise from traffic sources results in a "cylindrical spreading" of sound rather than the "spherical spreading" of a point source. Since the change in surface area of cylinder only increases by two times for each doubling of the radius instead of the four times associated with spheres, the change in sound level for traffic sources is generally 3 dBA/DD. The County of Los Angeles, within its General Plan Noise Element, shows an example of this type of attenuation in an example where freeway vehicular noise source of 70 dBA at 300 feet would be reduced to approximately 65 dBA at 550 feet distance.

Ground absorption may also affect the attenuation rate of a noise. The amount of excess ground attenuation depends on the height of the noise path and the characteristics of the intervening ground or site (topography). Attenuation varies as the noise path height changes from the source to the receptor and also changes with vehicle type (e.g. automobiles, medium trucks, heavy trucks, buses, motorcycles, etc.) since the source heights are different. Wind has shown to be the single most important meteorological factor affecting noise attenuation within approximately 500 feet, while vertical air temperature gradients are more important over longer distances. Other factors such as air temperature, humidity, and turbulence and presence/absence of vegetation also have less significant effects on noise levels.

NOISE REGULATION

Noise levels within California are regulated through State, County, and local standards and requirements. Within Title 4 of the State Administrative Code, guidelines are proved for evaluating the compatibility of various land uses as a function of community noise exposure. The State requires that these guidelines be used to perform noise studies and implement a Noise Element as part of a localized General Plan. The City of Santa Clarita is currently completing a new Noise Element to include in its updated General Plan. As such, for the purposes of this memo, both the existing Noise Element (dated January, 2000) and the current draft document (dated 2009) have been used. The City of Santa Clarita General Plan Noise Element is available online at http://www.santa-clarita.com/cityhall/cd/planning/general_plan.asp with the Draft 2009 Noise element available at <http://santa-clarita.com/vgp/pdf/Draft%20Elements/NoiseElementDraft2-24-09.pdf>. The County of Los Angeles Noise Element is available at <http://planning.lacounty.gov/generalplan#anc-download>.

The City of Santa Clarita provides, within its Municipal Code (Section 11.44.040 Noise Limits) thresholds for noise levels within sensitive receptors Section A states the following:

- A. It shall be unlawful for any person within the City to produce or cause or allow to be produced noise which is perceived on property occupied by another person within the designated region, in excess of the following levels except as expressly provided otherwise herein.**

Region	Time	Sound Level (dB)
Residential Zone	Day	65
Residential Zone	Night	55
Commercial and Manufacturing	Day	80
Commercial and Manufacturing	Night	70

At the boundary line between a residential property and a commercial and manufacturing property, the noise level of the quieter zone shall be used.

- B. Corrections to Noise Limits. The numerical limits given in subsection (A) of this section shall be adjusted by the following corrections, where the following noise conditions exist:**

Noise Condition	Correction (in dB)
Repetitive impulse noise	-5
Steady whine, screech or hum	-5
(Day Only)	
Noise occurring more than 5 but less than 15 minutes per hour	+5
Noise occurring more than 1 but less than 5 minutes per hour	+10
Noise occurring less than 1 minute per hour	+20

In addition to the Municipal Code provided above, within the new Noise Element (2009) Technical Appendix currently awaiting finalization, the General Plan does not contain any specific standards in regards to outdoor areas for new residential developments. The Appendix provides a recommendation that any new residential areas be designed to maintain a 65 dBA (or less) threshold for all outdoor areas. Although the recommendation does not account for existing residential areas, it may be applied as a conservative, acceptable threshold.

EXISTING NOISE ENVIRONMENT

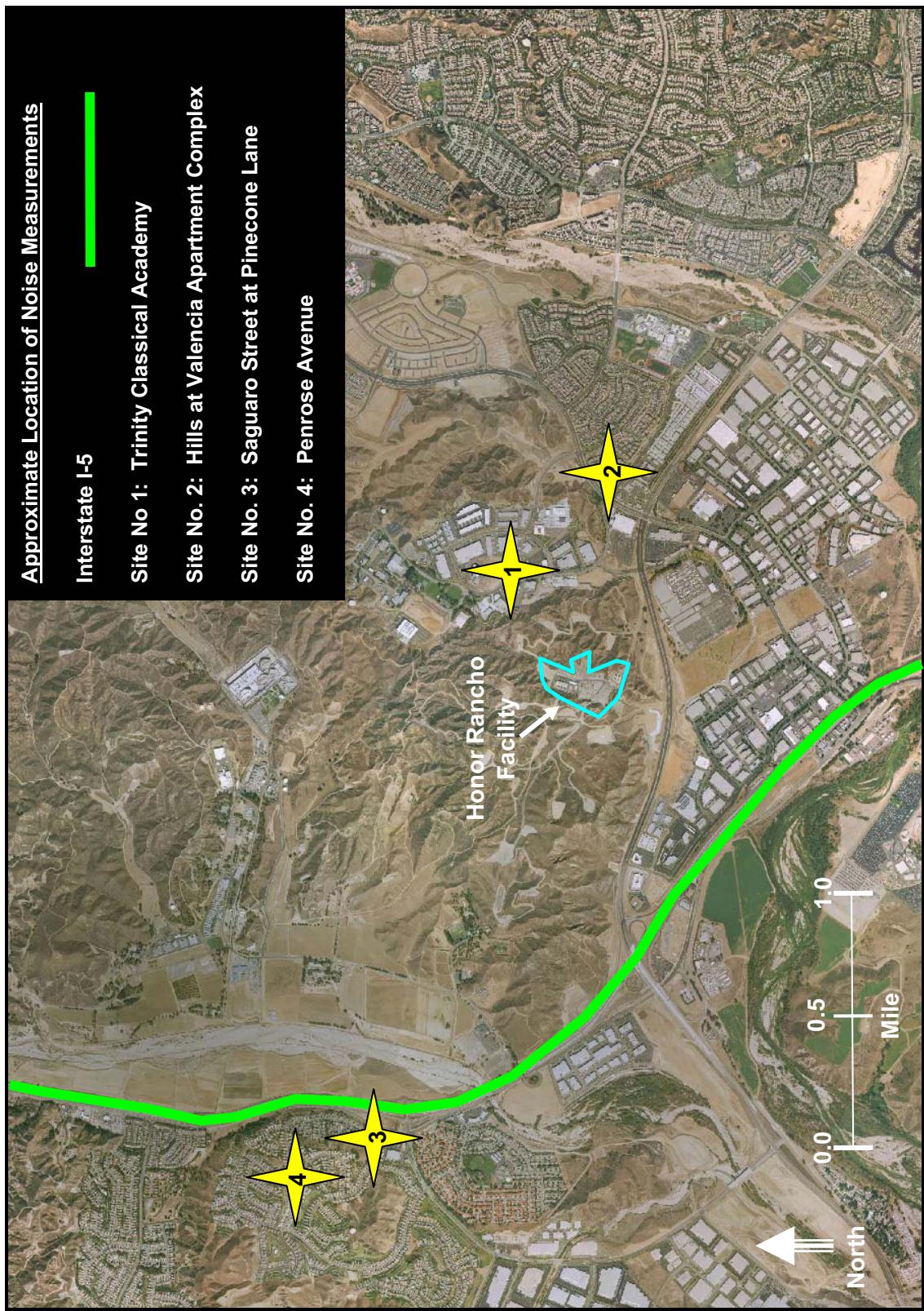
The Honor Rancho Facility is located in northern, unincorporated, Los Angeles County, near Valencia, California. Approximately half of the Honor Rancho Facility is located in the City of Santa Clarita, while the other half is located within the jurisdiction of Los Angeles County. According to the City of Santa Clarita, the dominant noise sources within the City limits and surrounding areas are related to vehicular traffic (Santa Clarita General Plan Noise Element, 2000). Within the Honor Rancho area, existing audible noise environment includes vehicular traffic from roadways such as Interstate 5 (I-5), Newhall Ranch Road, Copper Hill Road, and the Old Road. To a lesser extent smaller, more localized roadways affect noise levels including Kelly Johnson Parkway, Smyth Drive, and Saguaro Street may contribute to the ambient noise levels. Other significant noise sources identified within the 2009 Noise Element included high-speed rail noise, Agua Dulce Airport, Six-Flags Magic Mountain Theme Park, special events, emergency vehicles and mixed-use developments that include both residential and non-residential uses.

Ambient (Baseline) Noise Measurement Methodology and Measurement Locations. Ambient (baseline) noise level measurements for this memo were taken by Padre Associates on Wednesday, January 6th and Thursday January 7th, 2010 using a Larson Davis LXT noise meter. According to SoCalGas staff, measurements were taken during a “typical” operations event. Ambient (baseline) noise measurements occurred at four (4) representative and proximal sensitive noise receptor sites (as further described below) within the vicinity of and adjacent to the Honor Rancho Storage Field. These included two (2) residential sites and one (1) school site (Figure 1). Ambient noise levels were measured using a 15-minute Leq (A) weighted average taken during daytime, evening, and nighttime hours; and are therefore representative of noise levels within that time frame only. Based on City of Santa Clarita Noise Element guideline, daytime measurements were taken between 9 am and 11 am (representative of a 7 am-7 pm daytime frame), evening measurements were taken between 7 pm and 9 pm (representative of a 7 pm-10 pm evening time frame) and nighttime

measurements were taken between 2 am and 4 am (representative of a 10 pm-7 am nighttime frame). Please refer to Figure 1 and Table 1 for location detail and specific measurement times.

Noise Measurement Locations (Figure 1)

- Site No. 1: Trinity Classical Academy. Site No. 1, the Trinity Classical Academy is a faith-based school system offering services to students from kindergarten to Grade 10. Site No. 1 is located approximately 2,000 feet (0.38 miles) from the Honor Rancho Facility within a business park area currently zoned for Industrial use. Adjacent land uses include businesses such as United Rentals, White Cap Construction and a CNG refueling station. Regardless of location, the City of Santa Clarita considers schools to be a noise sensitive receptor. Primary and arterial roadways near the site include Kelly Johnson Parkway (located approximately 100 feet west), Copper Canyon Road (located approximately 1,800 feet east) and Newhall Ranch Road (located approximately 1,800 feet south).
- Site No. 2: The Hills at Valencia. The Hills at Valencia is a large apartment complex located at 28100 Smyth Drive approximately 3,500 feet (0.66 miles) from the Honor Rancho Facility. Adjacent land uses are primarily commercial facilities including multiple restaurants, bank branches and a Wal-Mart Shopping Center located approximately 500 feet (0.09 miles) to the south-west, and an additional residential area located to the east and south-east. Site No. 2 is the closest residential area to the Honor Rancho Facility but remains more than one-half mile from the nearest Honor Rancho noise source. Roadways within the Site No. 2 area include Copper Hill Road (located approximately 115 feet (0.02 miles) west), Kelly Johnson Parkway (located 300 feet (0.06 miles) southwest) and Newhall Ranch Road (located 1,000 feet (0.20 miles) south).
- Site No. 3: Saguaro Street at Pinecone Lane. Saguaro Street at Pinecone Lane is a residential neighborhood located approximately 9,250 feet (1.75 miles) from the Honor Rancho Facility. Adjacent land uses are primarily residential with a shopping center located approximately 825 feet (0.16 mile) to the south-west. The neighborhood is bordered to the east by a noise wall located adjacent to The Old Road. The I-5 is located adjacent to the Old Road approximately 450 feet (0.09 miles) from the neighborhood between Saguaro Street and the Honor Rancho Facility. The Honor Rancho Facility is located approximately 9,250 feet (1.75 miles) to the east.
- Site No. 4: Penrose Lane Terminus. Site No. 4 at Penrose Lane is located within the same neighborhood as Saguaro Street at Pinecone Lane on a hillside approximately 1,740 feet (0.33 miles) from Site No. 3. Penrose Lane is located approximately 1,300 feet (0.25 miles) from the Old Road and 1,450 (0.27 miles) from the center of the I-5. The Honor Rancho Facility is located approximately 10,800 feet (2 miles) from Site No. 4.



*Please note land use locations are approximations based on existing City land use maps.

Figure 1. Noise Measurement Locations

Table 1. Noise Measurement Locations and Times

Site Number	Location	Receptor Type	Approximate Distance to Existing Honor Rancho Facility *	Daytime Measurement	Evening Measurement	Nighttime Measurement
#1	Trinity Classical Academy	School/Church	2,000 Feet	10:01 am	7:04 pm	2:20 am
#2	The Hills at Valencia	Residential Apartment Complex	3,500 Feet	9:37 am	7:31 pm	2:45 am
#3	Corner of Saguaro Street and Pinecone Lane	Residential Neighborhood	9,250 Feet	10:41 am	8:05 pm	3:12 am
#4	Penrose Lane Terminus	Residential Neighborhood	10, 800 Feet	11:01 am	8:34 pm	3:31 am

*Distances are approximations based on review of aerial maps and do not take into account topographical or roadway features.

Table 2. Acceptable Noise Levels for Sites as Compared to Measured Levels.

Location	Acceptable Noise Level (dBA)*			Measured Noise Level (dBA) 15-min. Leq			Difference (dBA)
	Day	Evening	Night	Day	Evening	Night	
Trinity Classical Academy	65	60	55	55.5	54.3	46.2	-9.5
The Hills at Valencia	65	60	55	62.0	63.8	54.0	-3
Corner of Saguaro Street and Pinecone Lane	65	60	55	64.1	60.8	55.0	+3.8
Penrose Lane Terminus	65	60	55	50.6	49.9	50.0	+0.8

*Acceptable Noise Levels based on an average CNEL of 65 dBA, with a 5 dBA penalty for evening noise and a 10 dBA penalty for nighttime noise

Summary

The summary table (Table 2) has been provided to show the results of the ambient (baseline) noise measurements taken on Wednesday 1/6/10 and Thursday 1/7/10 at each of the four locations. Each noise measurement location was monitored for 15 minutes during day, evening, and nighttime and is therefore representative of that time frame only. Table 2 also provides a comparison of measured noise levels to those considered acceptable based on City of Santa Clarita and County of Los Angeles requirements.

As shown in Table 2, existing noise levels at each site were within the City of Santa Clarita and County of Los Angeles requirements for acceptable noise levels at 10 of the 12 measurement locations. At two locations (both taken during evening time frames) noise levels exceeded the acceptable range by 3.8 and 0.8 dBA.

ATTACHMENT 1
NOISE MEASUREMENT FIELD NOTES

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: SoCalGas Honor Rancho Baseline Noise Study

Project Number: 1002-0011

Location: Trinity Church Parking Lot

Date: 1/6/10

Day of Week: Wednesday

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky clear Wind calm

Primary Noise Source: Major Roadway

Distance from Primary Source: ~100 ft fr: Kelly Johnson - 1800 ft fr: Copperhill
~1800 ft fr: Neshall Ranch Rd

Other Noise Sources: Cars on arterial roadway
Sprinklers @ adjacent business. Overhead aircraft

Begin Time: 7:04 pm End Time: 7:19 pm
15 Minute Leq: 54.3 Peak: 74.4

Notes: No audible noise from Gas Company
was perceived.

Ambient perception is very quiet w/ peaks occurring
as cars or airplanes pass

Measurement taken approximately 2,100 ft fr: SoCalGas
facility,

Trinity Classical Academy
28310 Kelly Johnson Phway
Valencia, CA 91355

Eve

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: Apartment Complex: The Hills at Valencia

Date: 1/6/10

Day of Week: Wednesday

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: Copper Hill Drive

Distance from Primary Source: 120 ft fr: center of Copper Hill Drive

Other Noise Sources: No other noise sources audible over traffic noise.

Begin Time: 7:31 pm

End Time: 7:46 pm

15 Minute Leq: 63.8

Peak: 72.1

Notes: SoCalGas facility operations are imperceptible. Noise measurement taken w/ clear view to intersection. Within Apartment Complex Roadway noise is less perceptible. Other household noises (TV conversations etc) become dominant noise, w/ Roadway traffic blending into background.

Approx 2900 ft fr: SoCalGas facility

Eve

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: SoCalGas Honor Rancho Baseline Noise Study

Project Number: 1002 - 0011

Location: Corner of Saguaro and Pinecone

Date: 1/6/10

Day of Week: Wednesday

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm, Cold

Primary Noise Source: I-5

Distance from Primary Source: 430 ft fr. center, 270 ft fr. Old Road

Other Noise Sources: Traffic along Saguaro, traffic
along The Old Road.

Begin Time: 8:05 pm

End Time: 8:20 pm

15 Minute Leq: 60.8

Peak: 84.9

Notes: Primary noise source is I-5. Houses
block some noise, but I-5 is dominant.
Not perceived as a "quiet neighborhood" during evening
measurements (daytime perceived as quieter)

Eve

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: 30002/6 Penrose

Date: 1/6/10

Day of Week: Wednesday

Operator: **Sierra Kelso**

Noise Meter: **Larson Davis LXT**

Calibrator: **Larson Davis 200**

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: I-5

Distance from Primary Source: ~1450 ft fr. Center of I-5, ~1300 fr. old Road

Other Noise Sources: Dogs barking, overhead aircraft.

Begin Time: 8:34 pm End Time: 8:49 pm

15 Minute Leq: 49.9 Peak: _____

Notes: I-5 is primary noise source, no noise perceptible from SoCalGas Facility. No drilling noises audible. I-5 is louder and clearer (less muffled) at corner of Cambridge + Penrose. likely due to less shielding.

Views from Penrose show clear view to SoCalGas area - however drill rig cannot be seen due to area topography.

Eve

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: Trinity Parking lot

Date: 1/6/09 through 1/7/10 Day of Week: Wed/Thurs

Operator: **Sierra Kelso**

Noise Meter: **Larson Davis LXT**

Calibrator: **Larson Davis 200**

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Partly Cloudy Wind calm 000

Primary Noise Source: Major Roadway

Distance from Primary Source: -100 ft fr: Kelly Johnson, 1800ft fr: copper + Newhall

Other Noise Sources: Railroad in distance

Begin Time: 2:20 am End Time: 2:35 am

15 Minute Leq: 46.2 Peak: 72.0

Notes: Very quiet. Ambient noise sources are perceived as a "hum" in the distance which may include SoCalGas facility operations. No drilling noise perceived.

Railroad noise (train horn) became louder as train became closer.

NIGHT

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: Apartments : The Hills at Valencia

Date: 1/6/09 through 1/7/10

Day of Week: Wed/Thurs

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Partly Cloudy Wind Calm

Primary Noise Source: Traffic Along Copperhill Rd Drive

Distance from Primary Source: ~120 ft from Center of Copperhill Drive

Other Noise Sources: No other noise sources audible.

Begin Time: 2:45 am End Time: 3:00 am

15 Minute Leq: 54.0 Peak: 73.5

Notes: Significantly less traffic. Ambient ranged generally in mid- upper 50's w/ peaks of ~63 dBA when cars passed.

NIGHT

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: SoCalGas Honor Rancho Baseline Noise Study

Project Number: 1002-0011

Location: Corner of Saguaro and Pinecone

Date: 1/6/09 through 1/7/10 **Day of Week:** Wed/Thurs

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: I-5

Distance from Primary Source: ~430 ft fr: Center, ~250 ft fr: Old Road

Other Noise Sources: No other perceptible noise sources

Begin Time: 3:12 am **End Time:** 3:27 am

15 Minute Leq: 55.0 **Peak:** 83.

Notes: Traffic noise fr: I-5 remains dominant during early morning hours. Noise fr: individual vehicles and trucks clearly perceptible. All other noise sources (or potential noise sources) drowned out by I-5. SoCalGas facility operational/drilling noise is not perceptible.

NIGHT

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: SoCalGas Honor Rancho Baseline Noise Study

Project Number: 1002-0811

Location: 30002 1/2 Penrose

Date: 1/6/09 through 1/7/10 **Day of Week:** Wed/Thurs

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: I-5

Distance from Primary Source: ~1450 ft fr. center of I-5

Other Noise Sources: Fountain in backyard of 30008

Begin Time: 3:31 am **End Time:** 3:46 am

15 Minute Leq: 50.0 **Peak:** 70.5

Notes: Ambient noise is dominated by traffic on I-5. No other noise sources are perceptible over traffic. No drilling or operational noise was perceived.

NIGHT

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: Trinity Parking lot

Date: 1/7/10 Day of Week: Thursday

Operator: **Sierra Kelso**

Noise Meter: **Larson Davis LXT**

Calibrator: **Larson Davis 200**

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: Traffic along major Roadway

Distance from Primary Source: ~100 ft fr. Kelly Johnson Parkway

Other Noise Sources: cNG refueling station (trucks), traffic along Newhall Ranch Rd., birds, overhead air craft, commercial trucks associated w/ area business, kids let out for recess, backup alarms fr. trucks.

Begin Time: 10:01 am End Time: 10:16 am

15 Minute Leq: 55.5 Peak: 84.0

Notes: background "hum" is barely audible. Unclear if associated w/ traffic or other. may be ventilation associated w/ White Cap or United rentals

DAY

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: Apartments: The Hills at Valencia

Date: 1/7/10

Day of Week: Thursday

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: Copper Hill Drive traffic

Distance from Primary Source: _____

Other Noise Sources: Birds in Apt Complex, some pedestrian traffic, metal-on-metal contact associated w/ Trash bin lid,

Begin Time: 9:37 am End Time: 9:52 am

15 Minute Leq: 62.0 Peak: 83.0

Notes: As with evening and nighttime measurements, ambient noise is dominated by traffic on Copper Hill Drive and Newhall Ranch Road. Noise associated w/ SoCalGas facility operations and drilling was not perceptible

Record deleted

DAY

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002 - 0011

Location: Corner of Saguaro and Pinecone

Date: 1/7/10

Day of Week: Thursday

Operator: **Sierra Kelso**

Noise Meter: **Larson Davis LXT**

Calibrator: **Larson Davis 200**

Calibration: 114 @ 114 dBA

Weather Conditions: Sky clear Wind Calm

Primary Noise Source: I-5

Distance from Primary Source: ~430 ft from I-5

Other Noise Sources: Overhead aircraft, traffic on Saguaro

Begin Time: 10:41 am

End Time: 10:56

15 Minute Leq: 64.1

Peak: 71.0

Notes: _____

DAY

AMBIENT NOISE MEASUREMENT DATA SHEET

Project Name: **SoCalGas Honor Rancho Baseline Noise Study**

Project Number: 1002-0011

Location: 30002/6 Penrose

Date: 1/7/10

Day of Week: Thursday

Operator: Sierra Kelso

Noise Meter: Larson Davis LXT

Calibrator: Larson Davis 200

Calibration: 114 @ 114 dBA

Weather Conditions: Sky Clear Wind Calm

Primary Noise Source: I-5

Distance from Primary Source: ~1450 ft fr. Center of Freeway

Other Noise Sources: Diesel truck @ adjacent property,
over head air craft, gunshots? practice near drill rig?
some barking dogs, conversations on Penrose and from
neighbors below, backup alarms from undisclosed area.
garage door @ adjacent residence.

Begin Time: 11:01 am End Time: 11:16

15 Minute Leq: 50.6 Peak: 80.3

Notes: Gunshots were faint. may be associated w/ practice
near Peniten . During previous noise study in 200
training ops were occurring.

No SoCalGas facility noise fr. operations or drilling
was perceived.

DAY

Sierra K. Kelso

Staff Environmental Specialist

EDUCATION: B.A. Environmental Sciences – Emphasis on Resource Management, California State University Channel Islands, Camarillo, 2006.

TRAINING: OSHA 24-Hour Health and Safety Training, LPS Training, CEQA, Offshore Survival Training, Marine Mammal Identification and Monitoring.

EXPERIENCE: Ms. Kelso joined Padre Associates, Inc. in 2006. As a Staff Environmental Specialist, her work focuses on environmental impact assessment relating to CEQA/NEPA compliance and environmental permitting services as well as environmental restoration.

Representative projects Ms. Kelso has assisted with include:

ENVIRONMENTAL SERVICES

- **ExxonMobil/CSLC – Goleta Beach Hazards Removal Project Restoration Plan.** As a subcomponent of the California State Lands Commission (CSLC) Santa Barbara Channel Hazards Removal Program – Ms. Kelso is responsible for monitoring and reporting associated with native and eucalyptus habitat restoration within an access area formerly utilized in support of the removal of hazardous structures from Goleta Beach in Santa Barbara County. Responsibilities for this project include communication with key permitting agencies and implementation of the Project's Restoration, Erosion Control, and Revegetation Plan (RECRP) on behalf of contractors, ExxonMobil and CSLC.
- **Pacific Operators Offshore, LLC – Special Condition No. 1 Permit E-03-002.** Following the Power Cable Cement Cap Removal Project by Pacific Operators Offshore (PacOps) at the Carpinteria Pier, the California Coastal Commission issued a special condition permit requiring cable inspection monitoring at the Carpinteria Pier. Ms. Kelso's primary responsibilities for this project include agency coordination of the monitoring activities and enforcement of the California Coastal Commission's special condition permit on behalf of PacOps.
- **Pacific Operators Offshore, LLC – Power Cable Replacement Project - Marine Mammal Monitoring.** Ms. Kelso assisted in the offshore marine monitoring operations associated with the replacement of the PacOps Power Cable. Power cable replacement occurred under emergency permitting and required continuous monitoring and identification of special status marine species during offshore activities including whales, pinnipeds and dolphins.
- **Ventura County Transportation Department – South Mountain Road Bridge Scour Project - Special Status Species Monitoring and Rescue.** Ms. Kelso assisted in the identification and recovery of special status species during Santa Clara River stream diversion activities. Special status species included arroyo chub, Santa Ana sucker, southwestern pond turtle and the two-striped garter snake.
- **Clearwater Port LLC – Clearwater Port Project.** Ms. Kelso assisted with the preparation and submittal of applications to the United States Coast Guard and CSLC on behalf of the proposed Clearwater Port LLC - Clearwater Port Offshore LNG Project. Key support included response to agency comments regarding the subsequent deepwater port application submission.
- **Calleguas Municipal Watershed District – Calleguas Regional Salinity Management Project (CRSMP) - Hueneme Outfall Replacement Project.** Ms. Kelso assisted in the initial preparation of a multiple agency permit application for the Hueneme Outfall Replacement Project. Permitting agencies included the California Coastal Commission, California State Lands Commission, City of Port

Hueneme, City of Oxnard, as well as the LA Regional Water Quality Control Board and the Army Corps of Engineers.

- **Southern California Gas Company – La Goleta Storage Field Enhancement Project.** Ms. Kelso is currently assisting in the preparation of an application to the County of Santa Barbara Energy Division for exploration/production of additional gas resources in the existing La Goleta Storage Field.
- **ChevronTexaco – 4H Platform Decommissioning Project- Shell Mounds Disposition.** Ms. Kelso is currently assisting in the preparation of a revised project application package intended to evaluate alternatives associated with the remaining 4H Platform Shell Mounds. Specifically, her efforts are focusing on the evaluation and analysis of air quality and transportation/circulation impacts of the alternatives being considered within multiple jurisdictions. This revised application will be submitted to the CSLC and various regulatory agencies for consideration and determination of a final project.
- **Calleguas Municipal Watershed District – Calleguas Regional Salinity Management Project (CRSMP) - Hueneme Outfall Replacement Project.** Ms. Kelso assisted with the preparation of the Supplemental Environmental Impact Report/Environmental Assessment (SEIR/EA) for the proposed Hueneme Outfall Replacement Project. Environmental Assessment sections completed included Noise, Recreation, and Visual/Aesthetics.
- **Calleguas Municipal Water District CRSMP – Phase 2 Pipeline Alignment Revision.** Ms. Kelso is currently preparing an Initial Study (IS) for the revision of a portion of the CRSMP pipeline through the City of Camarillo and Southern Ventura County. Environmental Assessment sections completed included Noise, Recreation, Transportation, Public Services, Cultural Resources, Air Quality, and Visual/Aesthetics.
- **Pacific Gas and Electric (PG&E) – Sacramento River Pipeline.** Ms. Kelso assisted in the preparation of an environmental assessment in support of an application package for installation of a natural gas pipeline across the Sacramento River located in both Sacramento and Solano Counties.

**PREVIOUS
EXPERIENCE:**

Ms. Kelso graduated in May of 2006 and was granted Program Honors for Environmental Sciences at California State University Channel Islands. During this time she also interned with the National Resources Conservation Service (NRCS), the Ventura County Resource Conservation District (VCRCD), the Ventura County Weed Management District, and the National Park Service Santa Monica Mountains National Recreation Area.

**PROFESSIONAL
AFFILIATIONS:**

Channel Counties Chapter of the Association of Environmental Professionals (AEP). Rocky Mountain Chapter of the Association of Environmental Professionals. California Native Plant Society (CNPS).
