

Santa Barbara LAFCO

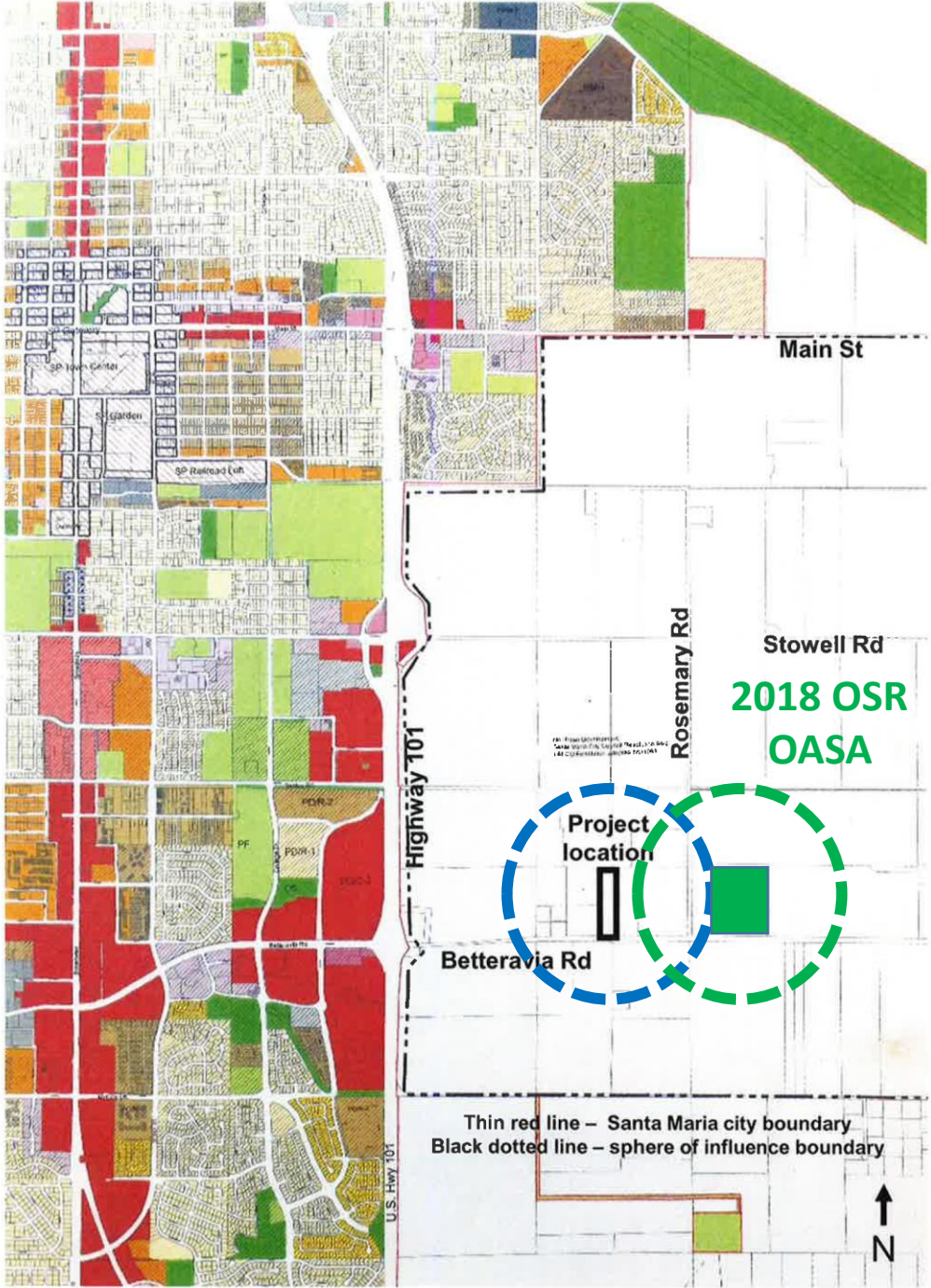
Pacific Petroleum Out-of-Agency Service Agreement
City of Santa Maria-LAFCO File 20-02

January 14, 2021

Proponent, Location, and Background

- City of Santa Maria, by resolution of application, on behalf of Pacific Petroleum.
- Approximately 7.6 acres located at 1615 East Betteravia Road, Santa Maria, CA 93456. (APN 128-093-013).
- County of Santa Barbara land use designation is AG-II-40 (Agriculture, 40-acre minimum parcel size) The County's Comprehensive Plan Designation is A-I-5.
- Pacific Petroleum has requested a domestic water connection from the City.
- Existing well water source tested to have nitrate levels exceeding the State-mandated, and has been cited by Environmental Health Services (SBC EHS) for noncompliance.
- The existing site contains a packing facility, office and storage for a trucking and industrial labor company.

Vicinity Map



Out of Agency Service Agreement Item No. 1

Location and Sphere of Influence

- The area proposed is outside the City of Santa Maria's city limits and sphere of influence (SOI). Less than one mile.
- The existing city water main runs adjacent to the site in Betteravia Road. In addition, fire service is already provided to the site by County Fire.
- GC Section 56133(c) allows service outside a SOI to respond to an existing or impending threat to the public health and safety if both of the following are met:
 - (1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.
 - (2) The commission has notified any alternate service provider.
- The City of Santa Maria and the Property Owner have provided documentation of a threat to the health and safety of the public or the affected residents.

Plan for Services

- There is a Double-Detector-Check valve-Assembly (DDCA) installed for fire suppression water. The applicant would hot-tap that water line prior to the DDCA valve assembly. The City would install a meter and the applicant would route the water line to the office for domestic use.
- Typical use volumes would be in line with an office staff in the 10-12-person range. The connection is intended for domestic use, including drinking fountains, faucets, and bathroom fixtures. Pacific Petroleum does not have plans for significant water use or consumption, as all discharges will be routed to an on-site septic system.

Environmental Determination

- The main CEQA issue for this project is whether the provision of potable water services to Pacific Petroleum would cause growth inducing impacts. The City has determined that the proposal is categorically exempt (Class 3 §15303(d) – new construction or conversion of small structures) from the California Environmental Quality Act.
- LAFCO's approval acting as Lead Agency is also exempt from CEQA pursuant to CEQA §15303(d) or Common-Sense rule 15061(b)(3).
- The Commission will file a Notice of Exemption following approval of the proposal and environmental determination.

Conclusion

The main issue is whether potable water services is growth inducing. This extension of services can be found NOT growth inducing for the following reasons:

- There is an existing City water line within the street adjacent to the facility;
- The only new infrastructure needed would be a tie-in from the facility into the water line.
- Water services to the facility would be limited to this one property due to the unique threat to health and safety caused by the failure of the onsite well.
- Provision under an out of agency service agreement must meet the findings of GC section 65133(b), services may be extended outside of a city but within its sphere of influence in anticipation of a later change of organization. This would require significant planning studies, including general plan amendments and associated CEQA review, for the City to consider expanding its sphere of influence in anticipation of annexation of the agricultural area surrounding the property.

Recommendation

OPTION 1 – APPROVE the request for an Out-of-Agency Service Agreement, subject to the following terms and conditions:

- a) The City's provision of water services shall be limited to the Pacific Petroleum site at 1615 East Betteravia Road, Santa Maria, CA 93456.
- b) The property owner shall execute and record an agreement approved by the Executive Officer that consents to annexation of the territory, which agreement shall insure to and bind all successors in interest to the property.
- c) Said out-of-agency service agreement is for potable water service only and shall remain in effect until such time as an annexation is approved by the Commission.