

**CITY OF DANA POINT  
AGENDA REPORT**

Reviewed By:	
DH	<u>X</u>
CM	<u>X</u>
CA	—

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**DATE: MARCH 23, 2005**

**TO: CITY MANAGER/CITY COUNCIL**

**FROM: JOHN TILTON, CITY ARCHITECT/PLANNING MANAGER**

**SUBJECT: LIQUEFIED NATURAL GAS (LNG) RECEIVING TERMINAL**

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**RECOMMENDED ACTION:**

Staff recommends that the City Council do the following:

1. Assign the proposed LNG terminal to the Ocean Water Quality Subcommittee to follow and report back on the aforementioned project; and
2. Adopt a Resolution of the City Council of the City of Dana Point, California, opposing a liquefied natural gas (LNG) receiving terminal.

**ISSUES:**

Whether to assign the proposed LNG terminal to the Ocean Water Quality Subcommittee; and

Whether to approve the subject resolution, Action Document A, opposing a LNG Receiving Terminal.

**DISCUSSION:**

There is sufficient evidence that a proposal to construct a liquefied natural gas (LNG) receiving terminal off the coast of Camp Pendleton with a pipeline connection through and within the Cities of San Clemente and Dana Point is pending. There are significant concerns that such a project would be harmful to the coastal environment and public safety. Since the proposed project presents a direct nexus to the City's environmental concerns relative to the ocean, the Ocean Water Quality Subcommittee is the appropriate entity to review and monitor this project.

Additionally, because guidelines regarding the oversight, regulatory standards and environmental compliance of on-shore and off-shore terminals are still in debate, the proposal does not guarantee that we can ensure the protection of the coastal environment and safety of the public. It is difficult, therefore, for the City of Dana Point and the City Council to respond to resident's concerns and staff recommends that the City Council adopt the attached Resolution opposing the liquefied natural gas receiving terminal off the coast of Camp Pendleton.

**NOTIFICATION/FOLLOW-UP:**

None

**STRATEGIC PLAN IMPLEMENTATION:**

Under the Strategic Planning Initiative to restore and maintain the integrity of our ocean waters and beaches and evaluate land use issues to ensure the goals, policies and programs of the General Plan reflect the community’s vision and mission.

**FISCAL IMPACT:**

None

**ALTERNATIVE ACTIONS:**

- 1. Provide alternative direction as required.
- 2. Provide additional direction to staff.

**ACTION DOCUMENTS:**

**Page No.**

A. <a href="#">Resolution – Opposing a LNG Receiving Terminal</a> .....	3
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**SUPPORTING DOCUMENTS:**

B. <a href="#">City Council Policy 206</a> .....	5
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**Action Document A: Resolution****RESOLUTION NO. 05-03-23-XX****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, OPPOSING A LIQUEFIED NATURAL GAS RECEIVING TERMINAL OFF THE COAST OF CAMP PENDLETON**

WHEREAS, Chevron-Texaco is proposing an offshore liquefied natural gas (LNG) receiving terminal off the coast of Camp Pendleton; and

WHEREAS, this proposal envisions an offshore facility that would include an underwater pipeline that would run along coastal waters of the cities of San Clemente and Dana Point; and

WHEREAS, the liquid would be converted back to gas at the facility, then shipped through pipelines to a Southern California Gas Company system; and

WHEREAS, as a governmental agency with permitting authority over the pipeline associated with the proposed LNG project, the City Council of the City of Dana Point is deeply concerned with the potential impacts on the community from the operation of the proposed facility and the associated subset and terrestrial pipeline; and

WHEREAS, portions of the terrestrial pipeline owned by Southern California Gas Company are subject to franchise regulations and encroachment permits for use of the public rights of way; and

WHEREAS, the construction of an LNG terminal and the associated high-pressure terrestrial pipeline running through sensitive habitat, residential and business areas, has the potential for severe negative environmental consequences, significant risks to the safety of residents and businesses within the City of Dana Point, and significant economic impacts to the City of Dana Point and its residents; and

WHEREAS, the proposed LNG terminal would be located in an area that is restricted because of the danger from active Marine training maneuvers; and

WHEREAS, the residents of the City of Dana Point and the City Council are committed to protecting the environment and preserving the City of Dana Point's natural resources and protecting the safety of the public; and

WHEREAS, the City Council has determined that the public welfare of the City will now be served and advanced by opposing the LNG terminal proposed by Chevron-Texaco off the coast of Camp Pendleton; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. The City Council of the City of Dana Point opposes the Chevron-Texaco project, unless and until the proponents can demonstrate to the satisfaction of the City Council that the adverse effects upon the environment, safety and health, and economy of the City of Dana Point have been successfully mitigated.
2. The City Council of the City of Dana Point hereby directs staff to send this resolution stating such opposition to the United States Coast Guard, the California State Lands Commission, the California Coastal Commission, the Maritime Administration, and other appropriate agencies.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Dana Point at its regular meeting held on the 23rd day of March, 2005.

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WAYNE RAYFIELD, MAYOR

ATTEST:

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SHARIE APODACA, INTERIM CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF DANA POINT )

I, Sharie Apodaca, Interim City Clerk of the City of Dana Point, California do hereby certify that the foregoing Resolution No. 05-03-23-\_\_\_\_ was duly adopted and passed at a regular meeting of the City Council on the 23<sup>rd</sup> day of March, 2005, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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SHARIE APODACA, INTERIM CITY CLERK

**SUPPORTING DOCUMENT B****CITY OF DANA POINT****COUNCIL POLICY**

<b>SUBJECT:</b>	<b>PAGE:</b>	<b>EFFECTIVE DATE:</b>	<b>POLICY NO.:</b>
Committees Created by the City Council	1 of 1	02/13/90 <b>AMENDED:</b> 01/12/93	206

**PURPOSE:**

To determine the selection process of establishing a Committee or Task Force and the amount of staff support authorized by the City Council when a Committee or a Task Force is established.

**BACKGROUND:**

The City Council at various times has approved the establishment of Committees or Task Forces. It is beneficial to define each of these terms and the amount of staff support and expenditure of City funds authorized by their formation. This will allow each Council Member to be aware of the amount of City staff time and City funds allocated to the Committee or Task Force when making a decision regarding their formation.

**POLICY:**

A Committee is established by resolution and is entitled to staff support. The resolution establishing a Committee shall include:

- A specific purpose and duration for the Committee.
- The composition of the Committee.
- The amount of funding to be provided by the City for staff and other support.

A Task Force is established by motion of the City Council for a specific purpose and duration. Establishment of a Task Force indicates no expenditure of City funds.

**SELECTION PROCESS:**

It shall be the responsibility of the City Council to:

- Establish the reason and goal for a Committee or Task Force.
- Establish the number of members on a Committee or Task Force.
- Screen applicants as individuals and appoint members as individuals to a Committee or Task Force.