



Legislation Text

File #: 08-0241, **Version:** 1

Recommendation to determine that the granting of Facility/Pipeline Permit Supplement No. S-6-08, under existing Facility/Pipeline Permit No. P-164-88 to ARCO Terminal Services Corporation, will not be contrary to the public interest; and authorize City Manager to issue said permit supplement in accordance with Section 15.44.060 of the Long Beach Municipal Code; and

Find that excavations are immediately required for the general health, safety, and welfare of the City and cannot be delayed, and that alternatives to excavating, such as alternative routing or construction methods such as boring or excavation of the parkway, are not possible; and approve a discretionary permit to excavate areas in certain City streets, which have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 1,7)

Arco Terminal Services Corporation (ARCO) has filed for Facility/Pipeline Permit Supplement No. S-6-08, under existing Facility/Pipeline Permit No. P-164-88. They are proposing to install two 12-inch pipelines. These pipelines would replace two existing pipelines, which will be decommissioned because of their age. These pipelines are crucial to ARCO's Carson Refinery operations and impact the refinery's ability to maintain current gasoline production rates. They serve to routinely transport dark oil (intermediate petroleum products) between the Long Beach harbor and the refinery. The routes of the two pipelines are shown on the attached vicinity map. If approved, they would be installed by trenching in certain streets that are under an excavation moratorium. Willow Street between Terminal Island Freeway and Santa Fe Avenue and Santa Fe Avenue between Pacific Coast Highway and Hill Street are both streets under excavation moratoriums. These moratoriums do not expire until May 2010 and October 2008, respectively.

Long Beach Municipal Code Section 14.08.060 requires that a permit for an excavation in a City street that has undergone reconstruction within the previous sixty months and is not for an emergency repair or for a new utility service connection, be deemed discretionary and subject to the approval of the City Council. It further states that the City Council may authorize a discretionary permit if:

- . The applicant can demonstrate that the permit for excavation is immediately required for the general health, safety, and welfare of the City and cannot be delayed until after the street's moratorium has expired.

- . The applicant can demonstrate that alternatives to excavating, such as alternative routing or construction methods such as boring or excavation of the parkway, are not possible.

The proposed excavation of the two streets that are under a moratorium are necessary for the general health, safety, and welfare of the City and cannot be delayed until after the moratoriums have expired because the existing pipelines are over 50 years old and need to be replaced by new

pipelines in Willow Street and Santa Fe Avenue. The new pipelines will meet current standards administered by the California State Fire Marshal, who will also certify that the pipelines conform to Federal DOT regulations.

Alternatives to excavating have been considered, including alternate routing and construction methods such as boring and excavation of the parkway. Several alternate routes were reviewed and discounted as being too disruptive to residents and businesses. Boring was determined to be impractical because the streets under the moratorium would have to be potholed in order to locate interferences that a boring procedure might hit. A parkway installation was also judged to be too disruptive to residents and businesses. City staff met with ARC a numerous times in 2007. Although it would require the trenching of streets that are under moratoriums, City staff and ARCO agree that the best route is the proposed route that relocates the pipelines out of mostly residential streets and areas into safer major arterial streets.

Once the two proposed pipelines are in operation, the two existing pipelines will be idled and then abandoned at a later date.

The Department of Public Works has reviewed the application and found the proposed installation to be compatible with existing installations and not an obstacle to any street use or any known proposed developments. ARCO will be given specific construction instructions designed to restore the integrity of the asphalt streets. After the asphalt restoration of the streets, ARCO will at their own cost, slurry seal the moratorium segments of Willow Street & Santa Fe Avenue from curb to curb and then replace all roadway striping eradicated by the construction.

Traffic control requirements stipulated by the Traffic and Transportation Engineering Division will be made a part of the special conditions for the excavation permit. Liability insurance is on file and a bond for faithful performance will be processed following City Council authorization of the permits.

In conformance with the California Environmental Quality Act, a statutory exemption for this installation is being processed with the County Clerk. Deputy City Attorney Amy R. Burton reviewed this matter on March 3, 2008, and by Budget Management Officer Victoria Bell on March 7, 2008.

City Council action on this matter is not time critical.

An excavation permit fee of approximately \$5,400.00 and an annual pipeline permit fee of approximately \$33,587.89 will be deposited to the General Fund (GP) in the Department of Public Works (PW).

Approve recommendation.

Michael P. Conway
Director of Public Works

NAME
TITLE

APPROVED:

PATRICK H. WEST
CITY MANAGER