Dear Mr. Sanders, P210

This open letter to Governor Schwarzenegger is submitted under docket number USCG-2004-16877. P210-1

The Billiton LNG terminal is opposed for reasons stated in this letter which was published in the Ventura County Reporter, April 13, 2006. P210-2

(Address attached)

Thank you,
Dianne Safford

Dianne Safford

dmsafford@adelphia.net

Home: (805) 986-4498
Cell: (805) 890-7071
Fax: (805) 986-1039

404 Santa Cruz Circle
Port Hueneme, CA 93041

P210-1
Attached to 2006 Comment Letter P210 was a page from the newspaper with a published letter to Governor Schwarzenegger. The attachment was entered as 2006 Comment Letter Attachment P210-A01.

P210-2
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

Open Letter to Governor Schwarzenegger

P210-A01-1

This copy of a page from the newspaper was submitted as an attachment to 2006 Comment Letter P210.

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Dear Governor Schwarzenegger:

We are grateful for this opportunity to share our thoughts and concerns about the Liquefied Natural Gas (LNG) terminal proposed by BHP Billiton off the Malibu/Oxnard coast. We feel proud of the communities we have built in this area and in which we choose to raise our children. As typical Americans, we feel that every community has a right to determine what health and safety risks it is willing to accept. BHP Billiton's proposal asks that we assume significant risks on behalf of a multinational corporation. Many residents of this community believe that the risks to our health and safety brought by the BHP Billiton LNG facility are not acceptable.

One of our main concerns is the emission from the regassification terminal of 279 tons of smog-producing air pollution per year into our coastal and inland areas. As you know, Southern California struggles with severe air pollution problems. This project will emit twice the pollution as the largest current polluter in Ventura County.

It is especially troublesome to us that BHP Billiton claims it is exempt from the requirements to offset its polluting emissions, a requirement that all other potential polluters must comply with in order to protect our health and safety. BHP should be required to follow the same rules that apply to all other businesses in the state.

Here is a list of some of our other concerns:

- A report from Sandia National Laboratories contradicts earlier Billiton claims that an LNG leak could not explode, and predicts the possibility of a 7 mile long flash fire. This risk is unacceptable to public safety, ship traffic, recreational boaters, and marine wildlife.
- We are concerned about the proximity of the terminal to the shipping lanes, which are used by more than 10,000 container ships and oil tankers annually. We think risk of a shipping accident at sea is too high. We are also worried about proximity of the terminal and tankers to the military test ranges.
- Given the prediction of a sizable quake in this highly seismic area, we are concerned that the large, high pressure pipelines present unacceptable safety hazards to us.
- We are worried about the LNG project's emissions of greenhouse gases and contribution to global warming. Billiton is asking the residents of this community to support a major investment in LNG infrastructure that will lead to continued reliance on polluting, foreign fossil fuel. The residents of this community are asking why we should invest so much money and make future commitments to foreign fossil fuels when we badly need an energy policy that is headed in the opposite direction, weaning us from fossil fuels.
- Other safer and environmentally superior alternatives exist that can supply California with more energy than an LNG facility will provide.
- California should follow its adopted Energy Action Plan and pursue energy conservation, efficiency, and renewable sources before considering LNG.

Governor Schwarzenegger, the people in this community do not believe that we need this foreign fossil fuel. We do not want to invest in this long-term, expensive fossil fuel infrastructure. We believe the state can significantly reduce its reliance on natural gas by following its own plan for energy conservation and renewable development. Without a substantial need, demonstrated in a fair and objective analysis, we will not accept the significant safety risks and adverse health consequences that we know will come with this project.

Sincerely,

The People of this Community

Copy submitted under docket number USCG-2004-16877 to:

Mr. Dwight Sanders
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, California 95825

ATTEND THE PUBLIC HEARING!

DON'T MISS THE OPPORTUNITY TO SPEAK OUT AGAINST THIS PROJECT!

ON WEDNESDAY, APRIL 19

Oxnard Performing Arts Center, 800 Hobson Way, 1:00 PM to 4:00 PM and 6:30 PM to 9:30 PM

The following organizations and individuals have publicly spoken out against the BHP Billiton LNG project:

Lois Capps, US Congresswoman – California's 23rd District
Pedro Nava, Assemblymember, District 35
Fran Pavley, Assemblymember, District 41

Oxnard City Council
Malibu City Council
Oxnard School District
Oxnard Council PTA
Sierra Club, Los Padres Chapter
Saviers Road Design Team
Coastal Alliance United for a Sustainable Economy (CAUSE)
League of United Latin American Citizens (LULAC)
El Concilio del Condado de Ventura
Environmental Defense Center
California Coastal Protection Network
Patagonia

John Flynn, County Supervisor, 5th District
Dr. Manuel Lopez, former Mayor of Oxnard, and Irma Lopez
Dr. Tom Holden, Oxnard Mayor
Andres Herrera, Oxnard Mayor Pro Tem
Tim Flynn, Oxnard City Councilmember
John Zaragoza, Oxnard City Councilmember

Andy Stern, Mayor Malibu
Barry Groveman, Mayor Calabasas
Murray Rosenbluth, Port Hueneme City Councilmember
Maricela Morales, Port Hueneme City Councilmember

Trustees of the Oxnard School Board:
John MacArthur, III
Denis O'Leary
Ana Del Rio Barba
Arthur Joe Lopez
Francisco Dominquez

Dr. Richard Miller, Superintendent Oxnard School District
Mary Haffner, Member, Ventura Unified School Board
Deborah Meyer-Morris, President Oxnard Council PTA
Kim Winch, President Emilie Ritchen PTA
Sylvia Cates, President Driffill PTA
Socorro Lopez Hanson, Oxnard Union High School District
Barry Gaynor, teacher Oxnard School District
Ellen Harvey, teacher Oxnard School District

Ed Begley, Jr. Actor and Environmentalist

Deirdre Frank, attorney
Linda Krop, attorney
Joe O'Neill, attorney
Carmen Ramirez, attorney

Susan Jordan, Director California Protection Network

This ad was paid for by Ventura County LNG Task Force. www.venturalngtaskforce.com • For more information: 986-4498 or 488-0422

To make a financial contribution to this important cause, please send your check payable to: "Environmental Defense Center." Mail to: Linda Krop, Environmental Defense Center, 906 Garden Street, Santa Barbara, CA 93101. Please note "VC-LNG" on your check. Your donation is tax deductible. Website: www.edcnet.org

P385

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

David Salinger
5402 meadow cir
Huntington Beach CA 92469

P247

2006/P247

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

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There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Rosemary M Sampson
31801 COTTONTAIL LANE
MALIBU CA 90265

Sierra Club Los Padres Chapter Santa Barbara and Ventura Counties

Arguello Group Conejo Group Santa Barbara Group Sespe Group

Alan Sanders
Conservation Chair
232 N. Third St.
Port Hueneme Ca. 93041
805-488-7988
alancatdaddyal@aol.com

April 5, 2006

Dwight Sanders
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825
BHPRevisedDEIR@slc.ca.gov.

RE: NOTICE OF AVAILABILITY/PUBLIC HEARINGS ON A REVISED DRAFT ENVIRONMENTAL IMPACT REPORT; State Clearinghouse number: 2004021107

Thank you for your quick action to get me a copy of the environmental documents for the above referenced project. After my call to you on March 30 when I informed you that I had not yet received my requested copies, and your subsequent actions, I received my copy on April 3rd. G001-1

Since our conversation I have learned of several other people (including Mike Stubblefield and Jean Roundtree) who have either not received their requested copies or have only received them in the last few days. Other people received copies several days after the start of the public comment period, depriving them of the full 45 days for comments. Additionally, SLC has just circulated a notice that the CD version of the environmental documents are incomplete. G001-2 G001-3

It appears that some flaw may be present in the public notification for this project that creates a negative affect on due process. Collectively these problems may violate state and federal requirements for public notification. G001-4

We recommend that SLC act to insure that all commenter have access to all relevant documents and to only then restart the 45-day comment period. G001-5

It may be impossible for any person to read the entire RDEIR due to its great length. Loss of any time to make comments then makes it impossible to make a meaningful and timely comment.

Thank you for your consideration.

Sincerely,

Alan Sanders

G001-1
The commenter is listed in Appendix A, Distribution List for the March 2006 Revised Draft EIR, for which the public review began March 13, 2006. According to Fed Ex records, a copy of the document was delivered to the listed address on March 15, 2006.

G001-2
The distribution record indicates that Mr. Stubblefield was sent a CD version of the document via first class mail on March 12, 2006. Distribution records do not reflect a request for the document from Ms. Roundtree.

G001-3
The figures for Appendix J3, a geologic and geotechnical analysis of a portion of the onshore pipeline route, were inadvertently left off the CD that accompanied the document. The figures were immediately posted on the Commissions and consultants web sites and provided on request of which none was received. The analysis within the March 2006 Revised Draft EIR are based on all information in Appendix J3.

G001-4
Section 1.5 contains information on the public review and comment opportunities provided by the lead agencies in full conformance with the provisions of the law. Both the CSLC and MARAD/USCG have met or exceeded the public notice requirements for this Project (see Sections 1.5.1 and 1.5.3).

G001-5
A Revised Draft EIR was recirculated under the CEQA in March 2006 for an additional public review period of 60 days. Sections 1.4 and 1.5.3.2 contain additional information on this topic. The distribution list for the document is provided in Appendix A.

From: Marilyn Sands [m.sands@charter.net]
Sent: Tuesday, May 09, 2006 2:09 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: Port on Coast

Please add 2 more opposing parties to your list as we know there are other resources which can be used and not "invade" paths of whales, dolphins, and be a danger to coral, small fish and ocean vegetation... AND PEOPLE... not only in the Malibu area, but the entire coast will be affected....Lights from your "factory" will not make these waters more hospitable for marine life. P054-1

We will not tolerate any pollution and DANGER especially when other sources are available to use which are environmentally sound, sustainable options. We have earthquakes in these waters regularly! ....There will be no port here. P054-2

Morris and Marilyn Sands P054-3

P054-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P054-2
Section 4.8 discusses impacts to the marine environment, and lighting impacts on marine biology during Project construction and operation are discussed in Section 4.8.4 under Impact BioMar-3.

P054-3
Table 4.2-2 identifies representative hazards and threats considered in the public safety analysis. Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to the Project. Section 4.11 contains information on seismic and geologic hazards.

P466

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely, Tiffany Santarossa

TIFFANY SANTAROSSA
2408 DANELAND ST.
LAKEWOOD, CA 90712

From: Dave Scharf [dscharf@adelphia.net]
Sent: Friday, April 28, 2006 2:54 AM
To: BHPREVISEDDEIR@slc.ca.gov
Cc: kkusano@comdt.uscg.mil; governor@governor.ca.gov; ogginsc@slc.ca.gov; tt@CalEPA.ca.gov; mike.chrisman@resources.gov
Subject: Oppose LNG in Oxnard

Dear Sirs: Please vote against any proposed offshore LNG terminus for the Oxnard area. The technology and safety records are insufficient for the planned project. Residential communities are too close in the event of untoward complications: weather, terrorism or an accident. Please do not place my children at risk--alternate sites far from established population centers are preferred (and advisable). Sincerely, David & Gisella Scharf (and 3 young sons)//D. Scharf, Deputy, LACO Sheriffs Dept (RES) P027-1 P027-2 P027-3

P027-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P027-2
Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

P027-3
Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

From: Suzanne Schechter [suzannes5@adelphia.net]
Sent: Tuesday, April 25, 2006 3:59 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: cabrillo report state clearinghouse # 2004021107

TO: DWIGHT E SANDERS
CALIFORNIA STATE LANDS COMMISSION

SIR:

I HAVE CAREFULLY READ THE EIR IMPACT REPORT REGARDING THE PROPOSED INSTALLATION OF THE CABRILLO LNG PORT IN THE WATERS ADJACENT TO OXNARD, VENTURA, AND PORT HUENEME. I NOTE THERE IS NO PROPOSED MITIGATION FOR THE IMPACT ON THE RESIDENTS OF THESE VENTURA COUNTY CITIES ON THE REAL ESTATE VALUES OF OUR HOMES AND TOURISM RELATED INDUSTRIES. OVER AND ABOVE THESE CONCERNS ARE UNKNOWN BUT VERY REAL AND EXTREMELY DANGEROUS POSSIBILITIES OF THE DANGERS OF BECOMING AN EASY TARGET FOR TERRORISM, WITH THE RESULTING TREMENDOUS LOSS OF LIFE, AND DESTRUCTION OF PROPERTY. WHY SHOULD WE GO OUT OF OUR WAY TO BECOME ANOTHER KATRINA????? COAST GUARD PATROLS WILL NOT CHANGE THAT REALITY. P022-1 P022-2

SURELY THERE ARE OTHER SITES ALONG THE COAST OF CALIFORNIA LESS DENSELY POPULATED, AND WITHOUT A MAJOR NAVAL BASE IN CLOSE PROXIMITY. P022-3

SUZANNE SCHECHTER
4824 AMALFI WAY
OXNARD CA 93035

EMAIL: suzannes5@adelphia.net

P022-1
Section 4.16 contains information on property values and tourism. According to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), economic or social effects are to be considered when there is a linkage to a physical effect. Under NEPA, analysis should be restricted to those social or economic factors that are interrelated to the natural or physical environment and may be affected by the range of alternatives considered. In addition, section 15131 of the State CEQA Guidelines states that "economic or social information may be presented in an EIR in whatever form the agency desires." Section 4.16 of the EIS/EIR is written in accordance with both NEPA and the CEQA requirements and guidance.

The Council on Environmental Quality's NEPA Regulations require Federal agencies to "identify environmental effects and values in adequate detail" (40 Code of Federal Regulations [CFR] section 1501.2) in their analyses and define the term "effects" to include social and economic effects, among others (40 CFR 1508.8). The NEPA regulations define the human environment as the natural and physical environment and the relationship of people with that environment.

Section 15131(a) of the State CEQA Guidelines states that "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."

P022-2
Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks. Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident or intentional incident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident or intentional incident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline.

P022-3
Section 3.3.7 contains information on the specific California locations considered in the alternatives analysis. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore, as shown on Figure ES-1.

Section 4.3.4 discusses impacts associated with the increased vessel traffic due to the proposed Project. The FSRU would be located 3.5 NM (3.54 miles) from the eastern boundary of the Point Mugu Sea Range (Pacific Missile Range). Impacts MT-5 and MT-6 in Section 4.3.4 discuss the potential impacts of the presence of the FSRU on Naval operations and the operation of the Point Mugu Sea Range.

P429

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

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PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

MARTINA SCHENAVAR
2639 Rambla Pacifico
Malibu, C.A. 90265

V059-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

May 12, 2006

Dwight E. Sanders
California State Lands Commission
Div. of Environmental Planning & Management
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Ref: 2004021107

Mr. Sanders:

In our community we have all the conveniences of the world, yet I personally know that we take natural gas for granted, not only when we cook or turn on the hot water, but also how the supply gets to the source we use. As a consumer of natural gas for my family and my business, its price and availability are important components of my home, my budget and the success of my business. V059-1

As a native of Ventura County, I know the alternatives to Cabrillo Port, as well as the alternatives I and others would have to resort to if we don't have an adequate supply for the future. So that's why I support Cabrillo Port and urge you to consider the benefits of their proposal.

We've relied on the need for fossil fuels. Yet as a society it's not time to realistically rely exclusively on renewable resources for energy. Until such time, we need affordable natural gas to warm our homes and provide the power for our electric generation in California. Cabrillo Port is one way to make that happen.

Sincerely,

Sylvia Munoz Schnopp
Schnopp Consulting Group
Pt. Hueneme, CA

From: Ellen Shane [yellinellen@gmail.com]
Sent: Wednesday, April 26, 2006 12:44 AM
To: BHPRevisedDEIR@slc.ca.gov
Subject: Cabrillo Port LNG Proposal

- This is to state that as a resident of Malibu, I am opposed to this proposal. I believe it can present many hazards to our environment & wildlife. P032-1
- Our community embraces it's natural setting & this proposal is counter to the very reason we choose to live here. P032-2

Please do not consider this proposal - look for another viable solution if you require a place to refuel LNG. P032-3

P032-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P032-2
Sections 4.5, 4.6, 4.7, 4.8, 4.11, and 4.18 discuss the potential effects of the Project to the environment and wildlife.

P032-3
Sections 3.3.5, 3.3.6, 3.3.2, and 3.4.2 discusses alternative locations considered.

P308

98% Angel®

Children's Clothing & Accessories

May 1, 2006

Dwight E. Sanders
California State Lands Commission
Division of Environmental Planning and Management
100 Howe Avenue Suite 100 South
Sacramento, CA 95825

Dear Mr. Sanders:

I have lived and worked in Malibu for my entire adult life. Unfortunately this is the second time I have had to fight the possibility of a LNG factory off our coast. P308-1

This is such a terrible idea from every possible angle: environmental, aesthetic, perilous, I could go on and on. I am enclosing a few letters from the local paper. My neighbors are eloquently stating my opinions. P308-2

Please pay attention to us and do not allow this transgression to happen. Alternate sources of energy will soon be even more widely available. Southern California is the perfect area for solar power and wind power. We will have polluted unnecessarily an area that it is our sacred trust to protect. P308-3

Sincerely,

Kathie Shapiro

Kathie Shapiro

www.98angel.com e-mail: 98angel@98angel.com
Store: 3835 Cross Creek Rd. #5A Malibu, CA 90265
phone: (310) 456-0069 fax: (310) 456-6248
Office: 3806A Cross Creek Rd. Malibu, CA 90265
phone: (310)317-8560 fax: (310) 317-8561

P308-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P308-2
Sections 4.6.4 and 4.18.4 discuss the Project's potential impacts to air and water quality. Sections 4.7.4 and 4.8.4 discuss the Project's potential effects to the marine and terrestrial environments. Section 4.4 and Appendix F contain information on the visual resources, impacts, and mitigation. Appendix F describes how visibility from various distances was evaluated and provides additional simulations prepared for viewpoints at elevated sites along the Malibu coastline and inland areas. Section 4.2 and Appendix C contain information on public safety.

P308-3
Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

Town FORUM

L-E-T-T-E-R-S to the E-D-I-T-O-R

BIOLOGY

Editor:

I am writing in opposition to the LNG "factory" being proposed for off the coast of Malibu.

In review of the revised EIR, section 4.7–Biological Resources, I have found a dispiriting commonality between the species listed—let me summarize: The short-finned pilot whale, sei whale, pygmy sperm whale, North Pacific right whale, minke whale, Guadalupe fur seal, Steller sea lion, and the Southern sea otter—all have been sighted in the area, although the EIR speculates, due to their scarcity, none will appear at or near the LNG project site.

These species, once common along our coastline, are no more. I strongly believe we could bring them back if we were to make their water world more inhabitable. They are out there. I have personally encountered these rare species, in Malibu, during the last 10 years: sea otter, northern right whale dolphin, pygmy sperm whale, Guadalupe fur seal, and stellar sea lion. We humans have played a major role in driving these species to near extinction. We can have a hand in helping them keep hold—maybe even thrive once again. Wouldn't you want that for the future?

I do not believe a liquefied natural gas factory off Leo Carrillo would make these waters more hospitable for marine life. Lights, noise, added pollution and the sucking up of living sea water for ballast and cooling. Using the EIR's estimates for daily sea water consumption, plus the amount each visiting tanker might take up for ballast, it could amount to over 78,190,000 gallons per day—that's equivalent to the mass destruction of 2,606 large swimming pools, a day, of living, breathing, life giving ocean water.

And for what? To continue our dependency on an unsustainable and "dirty" fuel from another country when we have an abundance of wind, water, sun and contraceptives? And what about BHP Billiton (BHPB)? The corporation has recently (late 2005) been under fire for: Unlawful exploration of endangered species habitat in the Philippines; their unwillingness to agree to a 1km safety zone from the rivers in its mining operations in New South Wales, Australia; continuing efforts to mine Gag Island, a protected forest in Indonesia, where they have plans to construct the largest nickel mine in the world, dumping waste into the sea, which scientists say is home to 64% of all known coral species in the world and the highest fish diversity anywhere; and the poisoning of the rivers downstream from the Ok Tedi mine, located in the rain forest covered Star Mountains of Papua New Guinea, that may leave the waterway dead for between 200 to 300 years.

Do you want to welcome this corporation into our waters? No to BHBP and No to any LNG projects. Yes to environmentally sound, sustainable options.

Rebecca Dmytryk

INTERESTS

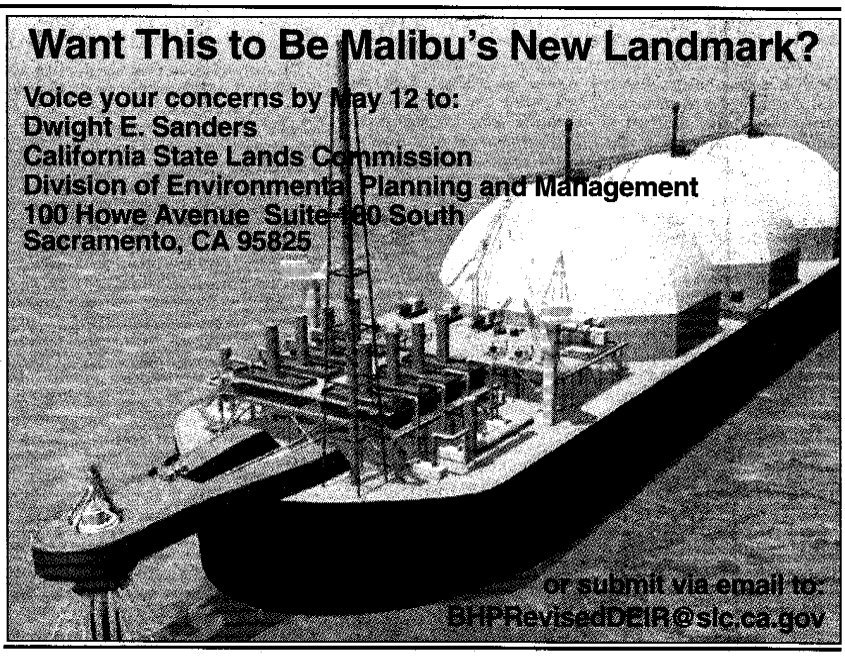
Editor:

There are two cliches you can just about make book on hearing when someone is trying to shove something down your throat: "This is good for you" and "This won't hurt a bit."

As I sat there at the hearing on the proposed LNG terminal, I kept hearing variations on this theme as one after another of the representatives of BHP Billiton took the floor to reassure us that not only was it necessary but it was perfectly safe. They had the same thing at home (which was Australia), and now they wanted to put one here. They seemed nice enough folks; kind and concerned about our well-being and certainly patient as they good-naturedly endured the chorus of boos that were directed at them from the Malibu residents, few of which had gotten an opportunity to speak yet. All, that is, except the one who added a point that they hadn't mentioned heretofore.

With thinly-veiled contempt he pointed out that Californians used (abused?) more fossil fuel than any other state in the United States and therefore, I suppose, should be the

(Letters are continued on page 10)



Publisher's NOTEBOOK

The Next Step

Malibuites came through big time at last week's LNG workshop. Those who attended made it very clear that the community is opposed to the prospect of a floating liquefied natural gas facility becoming the new landmark on Malibu's western coast. But the Draft Environmental Impact Report hearing was just part one of the high stakes game that is being played. Now the real work has to begin, and that requires effort from everyone who wants to protect the coast from the litany of perils that this kind of industrial depredation could inflict. Since it appears as if Aussie hospitality (as in Australian developer BHP Billiton's largess) has already convinced the governor that locals and visitors will soon get used to the presence of a 14-story environmental time bomb in their midst, it's up to the opponents of the Cabrillo Port Liquefied Natural Gas Deepwater Port to unconvince him. Remember the governor's plan to speed up the animal euthanasia schedule in public shelters? Remember how people showed up in Sacramento, parked on the Capitol lawn and made it clear that they were going to stay until the governor changed his mind? He did. It may not be time to man the barricades, but it doesn't hurt to demonstrate that mobilization is on the back burner, if only to let the power-brokers know that opponents aren't spewing their own form of gaseousness. Strategizing is critical because of the LNG industry's close relationship with the White House, which will get involved if things get testy.

Now that local opposition is standing up to be counted, Malibuites must follow up with written comments to the State Lands Commission (see address above) and copy them to the governor, or, better yet, send a customized message to the governor and put it in a political context. You say you're a campaign contributor? Your concerns are worth even more. As for those concerns, don't just talk about views and property values, although both issues have their place. Talk about the environment and the even bigger issue of public safety. Did you take notes on some of these specifics at the hearing? Quite a few speakers eschewed the knee-jerk approach and ticked off well thought-out laundry lists of concerns about the potential for irreversible damage if this facility is allowed. No notes? Then check news stories or go online and learn the phraseology of industrial obfuscation so that you can roll with the best of them. Armed in advance, you can communicate in a way that is guaranteed to command attention.

ANNE SOBLE

The Malibu Surfside News
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LETTERS POLICY

The Malibu Surfside News welcomes expressions of opinion and other commentary on communitywide concerns for consideration as letters to the editor. These communications should, ideally speaking, be typeset, double-spaced, and not exceed 250 words in length. E-mail and Mac CDs/disks are preferred. All communications must be signed and include a return address and daytime telephone number, but the author may request that his or her name be withheld and indicate the reason for the request. Priority is given to exclusive communications that substantively address key local public policy issues. All communications may be edited to meet space or other publication constraints. Letters selected for printing do not necessarily reflect the opinion of the publisher or others associated with this newspaper.

2006/P308-A01

L-E-T-T-E-R-S to the E-D-I-T-O-R

(Continued from page 4)

ones to pay the piper. So I guess it was shut up and take your medicine and feel guilty while doing it.

I was sorry to hear that I had missed an opportunity to get in on free pizza and beer that they had generously provided on a previous night as part of their promotional activities. Free pizza and beer! Hell, throw in a little sex and I'm putty in your hands.

These people mean business and have deep, deep pockets. I looked at the panel in front of the room. Who are these people who are going to say yes or no to this proposal? Is anybody monitoring their bank accounts? The LNG people didn't hang around to listen to the speakers who followed them. They had answered what they anticipated were going to be the arguments against and didn't know or care if there were any concerns other than whether it was necessary and safe. Such matters as real estate values, the traffic nightmare, the ecological impact and other things mentioned were not important enough to worry about.

One would have to be naive, I suppose, to think that aesthetics would have any weight when dealing with practical matters (read this as money matters); but you could have all the money in the world and you couldn't create the beauty of Malibu and the California coast. Evidently, it would take considerably less to destroy it. As for the LNG people's argument about the necessity of it, the only way it has any merit at all is if you accept their premise that fossil fuel is the only solution to the energy problem.

Garrett Nichols

BUTTONHOLE

Editor:

The whales and their calves are running north these days. But sadly we don't know how much longer that stirring sight will bless our beloved beaches, given the very real threat of the BHP Billiton's proposed LNG 14-story, toxic spewing offshore facility. This threat to Malibu's "way of life," marine life, and our property values is deadly serious, as those of us who attended the EIR impact hearing last week at the high school witnessed.

What we saw there was an insidious attempt by BHP to pack the hearing and dominate the speaker podium with a parade of carpetbaggers, chicken hawks and chicken swabs (an old military label for mercenary merchant marines). You could identify them from their self-serving statements and suits, which to me seemed both cut from the same cloth favored by those who gave us the Iraq, Bhopal, Chernobyl, the Valdez disasters. No doubt hovering over the assemblage like a vulture was a Halliburton hack.

It is obvious that Malibu needs to mount a concerted effort to stop this greed-engorged proposal. At last the city council has an issue everyone can get behind. But I fear that compelling environmental arguments alone will not be enough, and that we must exercise our individual and collective political wills to make this a hot-button issue, and insist that anyone running for governor pledge to stomp on this project if it somehow slithers through the bureaucracy.

Let us hope we do not have to resort to civil obedience or, worse, protracted legal action.

Sam Hall Kaplan

SET-UP

Editor:

News flash—Malibu is being rezoned as the LNG drop-off zone for the western United States. Wow, what an eye-opening experience the Tuesday night LNG "public" hearing was for me. I do not consider myself a political activist but I was quite taken aback from the experience. I thought a public hearing was a forum for local residents to voice their support or displeasure with a proposed project.

I didn't realize that is just a way for special interests to bus in their supporters—union heads, Australian government representatives and others that would benefit financially from this project. Maybe I am a bit naive to the realities of corrupt politics, but quite frankly, Malibu is getting railroaded on this one.

I am not an expert on the environmental risks, but I am an expert on living in rural Malibu, a place so restrictive that it takes years to get a remodel permit. I was asking when the

(Lettters are continued on page 11)

L-E-T-T-E-R-S

(Continued from page 10)

story poles were going up on this and the other proposed LNG facilities? Why aren't they located in industrial areas instead of this pristine piece of coastline? What kind of pollution or safety issues will this bring to my downwind home on Point Dume? Would they put this type of facility 14 miles from the entrance to Yosemite National Park? I think not.

If Oxnard wants the project so much, why isn't it located closer to the land point of entry? It is very simple. Malibu has a small population and they think this will be a slam dunk. If any of these projects get approved in their current form, go ahead and abandon the California Coastal Commission and every other agency that is supposed to protect California's greatest asset, its coastline. Or stop asking me to wait two years to add an addition over my garage.

Lee Reams

COMMUNICATION

Editor:

Many thanks should go out to all the people of Malibu who attended the April 18 public hearing at Malibu High School. The people of Malibu now need to keep the pressure on to oppose BHP Billiton's Cabrillo Port project. If we don't continue the fight, we will have their 14-story LNG terminal off our coast and in our future—polluting our air, polluting our ocean and our coast, and killing our sea life, and also putting all of us at risk in the event of an LNG spill, leak, explosion, vapor cloud, or other such accident.

I urge everyone in Malibu who opposes this project to please take a moment to send Governor Arnold-Schwarzenegger an email at governor@governor.ca.gov,or fax at 916-445-4633. Additionally, your email can also be sent to notobilliton@yahoo.com and your emails will all be forwarded to the governor's office.

The governor has the power to veto this project. Malibu residents and anyone else who cares about our precious coastal environment needs to write to the governor via a letter, an email and/or a fax asking for this veto so that this project does not go forward.

The people of Malibu need to continue their fight for opposing BHP Billiton's LNG terminal. If not, then we will have no one to blame but ourselves if this project is allowed to go forward. Please don't allow that to happen!

Claire Walther

NATURAL GAS

Editor:

I attended the LNG EIR/EIS hearing last week and was gratified to see so many people from Malibu finally getting involved. Unfortunately, most of what was said was just rhetoric, people ranting about not wanting this near them.

Towards the end of the meeting [former Malibu City Councilmember] Larry Wan made a presentation, using two other speakers to help him read some information into the record, that I think needs to be heard by everyone His presentation was highly technical but it essentially said that the effects of these terminals cannot be de-linked from the use of natural gas itself. Those effects are detrimental to the earth in terms of global warming, to habitat and species and to people in terms of its health effects. We have all been fed the myth that natural gas is "clean burning," however it is anything but.

In summary:

- *Natural gas (methane) burns to carbon dioxide which is the primary greenhouse gas.*
- *Methane escapees easily at every point of transport and us—methane molecules trap heat 21% more than carbon dioxide molecules making it a significant contributor to global warming.*
- *Natural gas is not pure. It contains radioactive compounds and carcinogen organometallic compounds.*
- *Natural gas should be listed under Proposition 65 (The Safe Drinking Water and Toxic Enforcement Act of 1986) for compounds that are "known to the state to cause cancer, birth defects, or reproductive harm."*
- *Natural gas contains radon and benzene, compounds known to cause cancer.*
- *Natural gas contains toluene known to cause birth defects.*
- *Some deposits contain heavy metal including lead (Pb), copper (Cu), mercury (Hg), silver (Ag), and arsenic (As). These metals are present in the form of carcinogenic organometallic compounds.*
- *Natural gas produces nitrous oxide products, including carbon monoxide, PAH and volatile organic compounds.*
- *Natural gas produces ground level ozone linked to childhood asthma.*
- *77% of particles from natural gas are small particulates that are more dangerous to human health than larger visible particulates in smog produced by burning gasoline because they bypass our bodies' natural respiratory filters and end up deep in the lungs.*
- *Leak detection of natural gas requires odorants, which also have serious health risks.*
- *Terminals require night lighting that has serious unmitigatable impacts on marine life, including fish*

From: Renny Shapiro [rennyjs@earthlink.net]
Sent: Friday, February 19, 1904 1:35 AM
To: BHPRevisedDEIR@slc.ca.gov
Subject: BHP Billiton's Cabrillo Port Project

For environmental and public safety reasons, we strongly oppose this LNG project and strongly urge that Billiton's plan be denied approval by the California State Land's Commission, by the California Coastal Commission, and by Governor Arnold Schwarzenegger P024-1 P024-2

Respectfully,

Rena and Bernard Shapiro
23822 Malibu Road
Malibu, CA 90265

P024-1
Section 4.2 and Appendix C contain additional and revised information on this topic. Sections 4.5.4, 4.6.4, 4.7.4, 4.8.4, 4.11.4, and 4.18.4 discuss the potential effects of the Project to the environment and the mitigation measures to prevent or minimize the potential effects.

P024-2
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P292

2006/P292

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Wendy M Stretten
20933 Big Rock Drive
Malibu 90265

From: Mark and Nancy Shuman [Shuman4@adelphia.net]
Sent: Monday, May 08, 2006 12:54 AM
To: BHPRevisedDEIR@slc.ca.gov
Subject: bhp lng terminal

Dear Mr. Sanders, my husband mark & I have been living in Oxnard for 26 years & have raised two boys who now are men & also live in the area. It is very important to all of us to please stop Bhp & their planned LNG terminal in our backyard & city. The last thing this city needs is a #1 polluter for no benefit to our community, along with the many hazards to the environment & marine ecology. P046-1
We beg you to take a stand against this foreign, unnecessary project in our community. Sincerely, P046-2
Mark, Nancy, Michael & Jeffrey Shuman

P046-1
Sections 4.6.4 and 4.18.4 discuss the potential impacts to air and water quality. Sections 4.7.4 and 4.8.4 discuss the potential impacts to the marine and terrestrial environments.

P046-2
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P330

Comment Form/Formulario Para Comentarios

Cabrillo Port LNG Deepwater Port—Revised Draft EIR
Puerto de Aguas Profundas de LNG en el Puerto de Cabrillo—Borrador Revisado del EIR

To receive a copy of the Final EIS/EIR, you must provide your name and address.
Para recibir una copia del EIS/EIR Final, por favor proporcionar su nombre y dirección.

Name (Nombre): MARK Shuman

Organization/Agency (Organizatión/Agencia):

Street Address (Calle): 3629 Sunset Lane

City (Ciudad): Oxnard

State (Estado): Ca Zip Code (Código Postal): 93035

email address (dirección de correo electrónico):

Shuman4@adelphia.net

Please provide written comments on the reverse and drop this form into the comment box.

Proporcione por favor los comentarios escrito en el revés y colóque esta forma en la caja del comentario.

You may also address any written comments to the attention of:	Usted puede dirigir también cualquier comentario escrito a la atención de:
Dwight E. Sanders California State Lands Commission Division of Environmental Planning and Management 100 Howe Avenue, Suite 100-South Sacramento, CA 95825 **Include the State Clearinghouse number: 2004021107**	**Dwight E. Sanders** California State Lands Commission Division of Environmental Planning and Management 100 Howe Avenue, Suite 100-South Sacramento, CA 95825 **Incluir el número de State Clearinghouse: 2004021107**
Comments may also be submitted via email to: BHPRevisedDEIR@slc.ca.gov	**Los comentarios también se pueden enviar por correo electrónico a:** BHPRevisedDEIR@slc.ca.gov

All comments must be received by 5 p.m. Pacific Time, May 12, 2006

Todos los comentarios debe ser recibido por 5 de la tarde, hora Pacífico, el 12 de mayo de 2006

Comments/Comentarios (Use additional sheets if necessary/Puede utilizar hojas adicionales si es necesario):

It is time to get serious about conservation + alternate green energies. The environment is the number 1 issue facing earth at this time. It is time to spot polluting earth + using fossil fuels for renewable fuels. Plesse help heal the earth + stop this proposed LNG termalnal. P330-1 P330-2

No action will be taken until the environmental review process is completed.

No se tomará ninguna acción hasta que el proceso de revisión ambiental se haya terminado.

P330-1
Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan. Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to the Project.

P330-2
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P331

Comment Form/Formulario Para Comentarios

Cabrillo Port LNG Deepwater Port—Revised Draft EIR
Puerto de Aguas Profundas de LNG en el Puerto de Cabrillo—Borrador Revisado del EIR

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Para recibir una copia del EIS/EIR Final, por favor proporcionar su nombre y dirección.

Name (Nombre): Michael Shuman

Organization/Agency (Organizatión/Agencia): CAUSE (Central Coast Alliance United for a Sustainable Economy)

Street Address (Calle): 1623 E Ocean Ave.

City (Ciudad): Ventura

State (Estado): CA Zip Code (Código Postal): 93003

email address (dirección de correo electrónico):
michael@livablewage.org

Please provide written comments on the reverse and drop this form into the comment box.

Proporcione por favor los comentarios escrito en el revés y colóque esta forma en la caja del comentario.

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Comments/Comentarios (Use additional sheets if necessary/Puede utilizar hojas adicionales si es necesario):

I oppose the LNG project here in Ventura County. P331-1
The environmental impact is too much AND would HURT P331-2
our local health & environment. In terms of safety
this is a very dangerous project. We must look for P331-3
other options for effective energy in our community. P331-4

No action will be taken until the environmental review process is completed.

No se tomará ninguna acción hasta que el proceso de revisión ambiental se haya terminado.

P331-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P331-2
Sections 4.6.4 and 4.18.4 discuss the Project's potential impacts on air and water quality. Sections 4.7.4 and 4.8.4 discuss the Project's potential effects on the marine and terrestrial environments.

P331-3
Section 4.2 and Appendix C contain information on public safety.

P331-4
Sections 1.2.2 and 1.2.3 contain information on natural gas needs in the U.S. and California. Chapter 3 discusses the alternatives considered.

P380

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

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- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
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PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Christine Sicile

Christine Sicile
1904 S. Robertson Blvd #20
L.A. CA. 90034

OCTAVIO SIFUENTES
VENTURA RESIDENT

Pg 1 of 2 P358

I want to say no to LNG in our community…

Because of our dependency in foreign companies. Today we are seeing the price per gallon of gasoline is over $3.00 and our country sliding into an inflation spiral. Today we are talking about letting a foreign company BHP Billington supply Liquified natural gas an energy product, which is not needed… and is not needed… however, speculators who are only interested in making a profit are attempting to sell us a product that will be delivered experimentally with an unknown technology and with an unproven delivery system that will probably pollute, kill wildlife, endanger shipping lanes in our coast and endanger our community and make us vulnerable to terrorism… why?… for the sake of enriching speculators.

P358-1

P358-2

P358-3

P358-4

P358-5

P358-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P358-2
Section 1.2 discusses dependence on foreign energy sources.

P358-3
Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

P358-4
Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

P358-5
Sections 4.6.4 and 4.18.4 discuss the Project's potential impacts on air and water quality. Sections 4.7.4 and 4.8.4 discuss the Project's potential impacts on the marine and terrestrial environments.

Section 4.3 addresses maritime traffic impacts. LNG carriers approaching and departing the Cabrillo Port FSRU would travel on the routes depicted in Figure 4.3-2 (also see Section 4.3.1.3). LNG carriers would neither cross nor enter the Santa Barbara Channel traffic separation scheme (TSS) under normal operating conditions. The FSRU would be located about 2 nautical miles from the southbound coastwise traffic lane. Given this distance, its presence, under normal operating conditions, would not interfere with operations in the TSS.

All LNG carriers would be equipped with an automatic identification

system (AIS) so that they would be able to detect other LNG carriers and other vessels. Also, all LNG carriers would be responsible for adhering to the "rules of the road" for ship traffic. Section 4.3.1.4 describes safety measures to be used.

Section 4.2 and Appendix C contain information on public safety. Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

OCTAVIO SIFUENTES pg 2 of 2

If this proposal is approved, we can be sure that the price of gas will be manipulated just as the price of gasoline is being manipulated. Imagine how the price of gas will suddenly increase in the winter when it is "needed" just as the price of gasoline is manipulated in the summer when it's most "needed."

We need to stop depending on foreign suppliers for our energy needs. We have the resources and the academic know how to do research to develop alternative sources for energy.

Let us not be duped by individuals who pretend to be "representatives" of seniors, labor, ethnic groups or those individuals who claim to be experts in the field of energy. They may be "consultants" who are being paid to deliver our community to foreign interests.

Octavio A. Sifuentes
6427 RALSTON ST
VENTURA, CA 93003

P358-6

P358-7

P358-8

P358-6
Section 1.2 discusses dependence on foreign energy sources.

P358-7
Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

P358-8
Thank you for the information.

From: Stephen Silbert [Ssilbert@chrismill.com]
Sent: Monday, May 15, 2006 2:10 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: i am very much opposed to the Cabrillo Port project for anumber of reasons, including safety, pollu

i am very much opposed to the Cabrillo Port project for a number of reasons, including safety, pollution and preservation of the environment P097-1

Stephen D. Silbert
Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, LLP
10250 Constellation Blvd., 19th Floor
Los Angeles, CA 90067
T: (310) 282-6266
F: (310) 556-2920
e-mail: Ssilbert@chrismill.com
This message and any attached documents may contain information from the law firm of Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, LLP that is confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute or use this information. If you have received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

P097-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

Section 4.2 and Appendix C contain information on public safety. Sections 4.6.4 and 4.18.4 discuss the Project's potential impacts on air and water quality. Sections 4.7.4 and 4.8.4 discuss the Project's potential effects on the marine and terrestrial environments.

4/18

P474

Statement by Phil Angeliedes, Treasurer

Like many Californians, I deeply resent the action by congressional Republicans and the Bush Administration to preempt state decisions about siting LNG terminals along the California coast and the Governor's rush to endorse the use of LNG. The current approach of considering each proposal in isolation risks missing the collective impact of LNG terminals on the coast and its environment. I join with over 25 California environmental organizations in endorsing Senator Simitian's Senate Bill 426, which calls for a transparent needs assessment and a comprehensive evaluation and ranking of all proposed LNG terminals according to a series of stringent criteria.

I ask the State Lands Commission to require that LNG terminals be considered only after a comprehensive planning process is put in place to examine the necessity, safety, and environmental sustainability of the projects and their cumulative effect on the coast.

P474-1

P474-2

P474-1
Mr. Ozzie Silna submitted this written statement, which he attributed to Phil Angelides, to the California State Lands Commission after reading it into the record during oral testimony at the Public Hearing on April 18, 2006, in Malibu, California.

P474-2
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P312

May 5, 2006

Dwight E. Sanders
California State Lands Commission
100 Howe Ave. Suite 100–South
Sacramento CA 95825

Dear Mr. D.E. Sanders,

Concerning the LNG port that is being considered for the area near where I live I respectively would like some points considered. There were several items that were not fully explored. The following need much further investigation:

1)A through study of alternative energy sources that could provide MUCH more than the LNG port: energy conservation, efficiency and renewable sources of energy | P312-1

2)The past report did NOT include the air pollution from the marine vessels that will be transporting fuel. | P312-2

3)LNG is a fossil fuel which will continue to contribute to global warming. | P312-3

4)A deeper look at the environmental impacts from intake of seawater and discharge of hot water into the marine environment is ESSENTIAL to see how this ecosystem may be impacted. | P312-4

I look forward to knowing that these areas and others have been studied prior to this project advancing. THIS IS CRITICAL!

Thank you for your time and consideration.

Katharine S. Simmons
568 Mission Dr. Unit B
Camarillo CA. 93010

P312-1
Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

P312-2
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. Section 4.6.1.3 and Impact AIR-5 in Section 4.6.4 contain information on regulated air pollutant emissions and an updated analysis of vessel emissions.

P312-3
Sections 4.6.1.4 and 4.6.2 contain information on Project emissions of greenhouse gases and recent California legislation regarding emissions of greenhouse gases.

P312-4
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. The previously proposed FSRU generator engine cooling system used seawater as the source of cooling water for the four generator engines. The Applicant now proposes using a closed tempered loop cooling system that circulates water from two of the eight submerged combustion vaporizers (SCVs) through the engine room and back to the SCVs, which reduces the seawater intake volume by about 60 percent. The seawater cooling system would remain in place to serve as a backup system during maintenance of the SCVs or when the inert gas generator is operating. Section 2.2.2.4 contains a description of the proposed uptakes and water uses for the FSRU.

Section 4.7.4 contains information on uptake volumes and potential impacts of seawater uptake and discharge on marine biota, including ichthyoplankton from intake of seawater and, from thermal discharges of cooling water. The ichthyoplankton impact analysis (Appendix H1) includes both literature results and data from California Cooperative Oceanic Fisheries Investigations (CalCOFI) surveys. CalCOFI surveys have been consistently collected over a period of time and are the best scientific data currently available.

P421

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Kurt Simpson
867 Cold Spring Pl
Westlake Village, CA 91361

From: Paula Siskron [prsiskron@yahoo.com]
Sent: Tuesday, May 09, 2006 12:18 AM
To: BHPRevisedDEIR@slc.ca.gov
Subject: "no" to BHP

To whom it may concern:

As an intelligent and caring Californian, I am making the following request: V049-1

"no" to BHP Billiton's polluting and unnecessary LNG terminal.

Thank you,
Paula Siskron
Sierra Club Activist/Member

Paula Siskron
prsiskron@yahoo.com

V049-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

From: Connie Slade [cert400061@earthlink.net]
Sent: Wednesday, May 03, 2006 5:43 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: LNG

Just wanted you to know that I strongly object to Billiton's proposed LNG floating storage and regasification unit, which would be located 17 miles from my home in Malibu, California. V039-1

Connie Slade

Connie Slade
cert400061@earthlink.net
EarthLink Revolves Around You.

V039-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

From: Angelaslaff@aol.com
Sent: Sunday, April 09, 2006 2:19 PM
To: BHPRevisedDEIR@ slc.ca.gov
Subject: State Clearing house # 2004021107 LNG Deepwater Port

Dear Mr Sanders

It is with alarm that I send this e-mail. Please consider all of the problems and dangers that allowing the Cabrillo Liquified Natural Gas Deepwater Port just off Oxnard coastline would bring. And take into account that if this was proposed for your neighborhood where your children attended school, etc, how would you vote? V001-1

Please consider the well being of the thousands of people who live in this area.

David and Angela Slaff

V001-1
Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

Section 4.13.1 contains information on sensitive land uses in proximity to proposed and alternative pipeline routes, such as schools. There are no schools in the immediate vicinity of either of the proposed pipeline routes. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

P232

2006/P232

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Aaron J. Smith
29500 Heathercliff Rd #33
Malibu CA 90265

From: Ronald Smith [ron_h_smith@msn.com]
Sent: Thursday, May 11, 2006 3:41 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: Public comment on State Clearinghouse No. 2004021107

11 May 2006

From: Ronald H Smith, 3430 Schooner Walk, Oxnard, CA 93035
Phone 805 985-1719; Email ron_h_smith@msn.com

To: California State Lands Commission, Div. of Environmental Planning and
Management, 100 Howe Ave., Suite 100 South, Sacramento, CA 95825

Ref.: Cabrillo Port Liquefied Natural Gas deepwater port, Clearinghouse # 2004021107

The state of California should not approve or allow the Cabrillo Port Liquefied Natural Gas deepwater port, Clearinghouse # 2004021107. The following are my comments and concerns. Concerns that the EIR provide that lead me to be against the project are many. Comments made relative to pages of the Executive Summary

1. The issue identified in pages ES-45- ES-54 should in it self disallow the project because of the Public safety issues. P064-1

2. Item MT-5, page ES-57 The disruptions and costs to the US Navy can and would be costly and have an negative impact because of the Navy can not get its testing done in a timely and cost effect manor the US NAVY WILL SEEK another site to do these tests. This will be a major economic impact on Ventura co. and the State. P064-2

3. Items AIR-1 to AIR5, pages ES622 –ES65, There will be a air quality impact no matter the response to mitigate problems. The addition of this facility by its nature is a negative to the air quality. Along with the new facility the Oxnard plain is expanding which in combination with the facility raises a problem for the environment air quality. The facility could stop and curtail other jobs and economic growth because of it air pollution issues. P064-3

4. Issues pages ES-66 to ES- 72. The impacts on the Marine environment, the Channel Islands recreational area and fishing sited in the report and both environmental negative but also economic negatives. The mitigation items sited by the requester may or may not resolve the problems, there so many and since this a new and never been tried engineering endeavor there are assuredly going to be failures and problems that can and will have a very negative impact on the county Ventura and the state of California. This is new technology and therefore all mitigation comments subject to many changes and they all will not be for the positive. P064-4

5. General comment:The cost benefits to the people of California are marginal at best and surely the impact for the negative costs to fix and address a public disaster could and mostly likely high and a burden to us the California taxpayer. P064-5

6. Comment: From a national security and energy independence arena it may be far better to drill in offshore California since the technology is mush better know and therefore safer. P064-6

P064-1
Section 4.2 addresses the public safety impacts that are summarized in Table ES-5. Certain public safety impacts are significant and unavoidable (Class I). The Administrator of MARAD under the authority of the Deepwater Port Act, the California State Lands Commission, and the Governor of California have to balance the benefits of the Project against its unavoidable environmental risks. In accordance with section 15093 of the State CEQA Guidelines, the CSLC would have to make a Statement of Overriding Considerations addressing Class I impacts prior to approval of the Project.

P064-2
Section 4.3.4 contains information on potential impacts associated with the increased vessel traffic due to the proposed Project. The FSRU would be located 3.5 NM (3.54 miles) from the eastern boundary of the Point Mugu Sea Range (Pacific Missile Range). Impacts MT-5 and MT-6 in Section 4.3.4 address potential Project impacts on Naval and Point Mugu Sea Range operations.

Section 4.16 contains information regarding the scope of analysis of socioeconomic impacts as required under the National Environmental Policy Act and the California Environmental Quality Act. Section 4.16.4 contains information on potential socioeconomic impacts and mitigation measures to address such impacts.

P064-3
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. Section 4.6.1.3 contains revised information on Project emissions and proposed control measures. Section 4.6.4 discusses the health effects attributed to air pollutants and includes revised impacts and mitigation measures.

P064-4
Section 4.16.4 contains information on potential socioeconomic impacts, including impacts on recreational and commercial fishing.

Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies performance levels that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains

information on pipeline safety and inspections. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

P064-5
Section 4.2.5 contains information on liability in case of an accident and reimbursement for local agencies.

P064-6
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P064-6 Continued

In summary this project is a new engineering effort that has not been proven or tested. It is not any easy task to marry and bring technology together in this scale and not have problems. I do not think that the state should allow our area and state to be a test bed for the marginal benefits proposed by the requeste. There negative impacts this project will have in safety, air pollution and the local economy far out-weigh any benefit we as Californians and Americans will recieve from this project. Again this project should not be approved by our State.

P064-6
Continued

Very Respectfully

Ronald H Smith

_____
Express yourself instantly with MSN Messenger! Download today - it's FREE!
http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/

P226

2006/P226

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

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- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
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- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

21462 P.C.H.
Malibu, Ca. 90265

P435

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

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Sincerely,

Michael Solomon
30856 Agoura Rd
Agoura CA 91301

From: Conor Soraghan [csoragha@hotmail.com]
Sent: Saturday, May 06, 2006 10:23 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: NO LNG

NO LNG ---- PROTECT CALIFORNIA. | V045-1

THANK YOU

Conor Soraghan

V045-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P464

2006/P464

Thomas O. Spicer, III, PhD, PE
Consulting Chemical Engineer
3335 Kendall Drive
Fayetteville, AR 72704

8 May 2006

Mr. Dwight E. Sanders
California State Lands Commission
Division of Environmental Planning and Management
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

RE: Review of Revised Draft Environmental Impact Report (Revised DEIR) for Cabrillo Port LNG Deepwater Port (DWP); State Clearinghouse number 2004021107

Dear Mr. Sanders:

I have reviewed the above captioned report particularly Section 4.2 Public Safety: Hazards and Risk Analysis and its discussion of thermal radiation and vapor dispersion hazards. This section of the Revised DEIR summarizes the process and findings of a site-specific Independent Risk Assessment (IRA) and its subsequent review by Sandia National Laboratories (SNL) included as Appendix C2 (Sandia Report "Review of the Independent Risk Assessment of the Proposed Cabrillo Liquefied Natural Gas Deepwater Port Project" by Hightower et al. printed in January 2006 as SAND2005-7339). The Revised DEIR summarizes formal comments made concerning the October 2004 Draft EIS/EIR prepared for the Cabrillo Port project. The Revised DEIR makes use of the SNL report "Guidance on Risk Analysis and Safety Implications of a Large Natural Gas (LNG) Spill over Water" by Hightower et al. (SAND2004-6258) printed in December 2004.

The IRA report (Appendix C1 of the Revised DEIR) identifies objectives of the independent risk assessment process as (quoting from the report page ES-1):

- Objectively evaluate the potential impacts on public safety posed by the proposed Project; specifically, identify and evaluate public exposure from potential LNG release scenarios and recommend risk reduction measures;
- Address scoping comments on the risks solicited through the NEPA/CEQA process;
- Use an assessment process that is transparent and available for review to the greatest extent possible by the public, elected officials, and agencies, subject to limitations imposed by security considerations;
- Use an assessment process that incorporates the guidance provided by Sandia National Laboratory for Risk Analysis of a Large Liquefied Natural Gas Spill over Water; and
- Conduct a site-specific, project-specific assessment.

The IRA report states on several occasions that "independence was paramount in this study". However, the level of independence of this study may have been compromised because the stated objective was to use a process that incorporated the previous guidance of SNL from December 2004. One of the members of the External Peer Review Panel identified in SNL's 2004 report is Dr. Ron Koopman who identified himself as a consultant to BHP Billiton several months prior to SNL's 2004 report. P464-1

Despite this apparent lack of objectivity, the SNL review by Hightower et al. of the IRA was beneficial because some errors in the original analysis were identified (summarized on pg 23 of the SNL report). It is important to note that none of these errors could have been detected solely from the original Draft EIS/EIR or the Revised DEIR due to insufficient detail of the reports. Obviously, full disclosure to the public of modeling details for the purpose of independent peer review and public comment to the extent possible is beneficial to all parties. P464-2 P464-3

Depending on the identified scenarios by which containment of LNG can be lost, impact to public safety is typically assessed on the basis of the following potential hazards: P464-4

- Vapor dispersion hazards. This potential impact to public safety is determined by the downwind distance to which the LNG vapor will remain flammable.
- Thermal radiation due to a pool fire. This potential impact to public safety is determined by the downwind distance to which a burning LNG pool will be harmful due to thermal radiation exposure to the public.

Other potential hazards associated with LNG have been identified, but the hazards outlined above have been assessed for onshore facilities as specified by 49 CFR 193. (The original Draft EIR/EIS listed 49 CFR 193 as part of the "Key Elements and Thresholds" used in the preparation of the report, but the Revised DEIR makes no reference to 49 CFR 193.) For LNG spills on water, the assessment of these hazards was addressed for the Federal Energy Regulatory Commission (FERC) by ABS Consulting. Under contract number FERC 04C40196, ABS Consulting summarized methods for determining pool fire thermal radiation and vapor dispersion hazards. The pertinent reports are "Consequence Assessment Methods for Incidents Involving Releases from Liquefied Natural Gas Carriers" (dated 13 May 2004) and "Notice of Availability of Detailed Computations for the Consequence Assessment Methods for Incidents Involving Releases from Liquefied Natural Gas Carriers" (dated 29 June 2004) as part of FERC Docket No. AD-04-6-0000. Public comment was accepted on the original report resulting in modeling revisions as summarized in the later report. P464-5

The Revised DEIR summarizes accident consequences in Table 4.2-1 (pg 4.2-2) based on three scenarios:

P464-1
Dr. Koopman was the principal investigator for the Burro tests while employed by the Lawrence Livermore National Laboratory. By definition, an external peer reviewer is not employed by the organization whose work is reviewed, and Dr. Koopman's role as a peer reviewer of the Sandia Guidance document was completed before Sandia was retained by MARAD and the USCG to perform the review described in Appendix C2. MARAD and the USCG determined that Dr. Koopman's participation as a member of the External Peer Review Panel for the Sandia December 2004 report did not pose a conflict with the review of the IRA by the U.S. Department of Energy's Sandia National Laboratories with which Dr. Koopman was no longer associated as provided above.

P464-2
Dr. Koopman did not work on the SNL review, contained in Appendix C2.

P464-3
The IRA was determined to contain sensitive security information (SSI), and it was not made available to the general public; however, it was available for review by Federal, State, and local agency staffs and officials with safety and security responsibilities and clearances. The results of the 2004 IRA were summarized in the October 2004 Draft EIS/EIR.

With the exception of certain SSI in Appendix D, the entire text of the IRA and its supporting documents are included in Appendix C. As noted in the preface to Appendix D (Collision Analysis) to the IRA, "(t)he complete report is available for review by Federal, State, and local agency staffs and elected officials with safety and security responsibilities and clearances."

P464-4
Section 4.2 and the IRA contain information on vapor dispersion hazards and thermal radiation due to a pool fire.

P464-5
The Project is regulated by the USCG and MARAD under the authority of the Deepwater Port Act. FERC's regulations are prescriptive and standardized to address the general siting of onshore LNG terminals. In contrast, due to various different designs of deepwater ports, the USCG conducts site-specific independent risk and consequence analyses using the most recent guidance and modeling techniques.

The guidance used for Cabrillo Port is Sandia National

Laboratories' "Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas (LNG) Spill Over Water." This report recommends a framework for analyses of large LNG spills onto water. It was prepared for the U.S. Department of Energy (DOE), and an external peer review panel evaluated the analyses, conclusions, and recommendations presented.

The FERC reports cited by the commenter not only predate the Sandia report but also pertain to a different type of facility and location.

- Marine collision. Release of half of one FSRU tank through a very large breach onto water. Pool fire and vapor cloud dispersion/flash fire consequences are considered.

- Intentional. Release of the contents of two FSRU tanks through a large breach in each tank onto water. Pool fire and vapor cloud/dispersion/flash fire consequences are considered.

- Escalation. Release of total contents of up to two FSRU tanks onto water. This escalation scenario addresses the impact to public safety if either a marine collision or intentional event (the previous scenarios) results in a fire that causes the failure of the remaining tanks on the FSRU. Only pool fire consequences are considered since the escalation is presumed to occur because an ignition source will be readily available.

From these scenarios, the impact to public safety is assessed in the IRA on the basis of the following potential hazards:

- Vapor dispersion hazards. The report specifies their use of the term LNG to be a hydrocarbon mixture composed primarily of methane with concentrations of 85 to 96% (molar basis); heavier hydrocarbons such as propane, ethane, and butane make up the balance of the mixture. The lower flammable limit (LFL) of a (pure) methane/air mixture is reported and used throughout the work in place of the LFL for LNG vapor; this assumption is valid for higher methane concentrations and is less appropriate as the concentration of heavier hydrocarbons in the LNG increases. The presence of heavier hydrocarbons decreases the LFL; for 85% methane/15% propane, the LFL is approximately 4.1% (compared with 5% for methane).

- Thermal radiation hazard due to a flash fire. This potential impact to public safety is based on the ignition of a LNG vapor cloud after it is formed. The maximum potential impact to public safety is assessed as follows: The LNG is spilled on the water and is assumed not to be ignited until the flammable cloud reaches its maximum extent of the LFL, and while at this maximum extent, the vapor cloud is ignited. For such a fire, thermal radiation hazards will extend in all directions from the burning vapor cloud.

- Thermal radiation due to a pool fire. This potential impact to public safety is based on the ignition of the spilled LNG before a significant vapor cloud can form. The maximum potential impact to public safety is assessed as follows:

P464-6

P464-7

P464-8

P464-9

P464-6
As shown in Table 4.2-1, 4.2-2, 4.2-7, and 4.2-8, the release of the contents of all three tanks on the FSRU is addressed in the escalation scenario associated with a large intentional event. This scenario considers the release of the entire contents of the FSRU and an attending LNG carrier which is the maximum amount of LNG that could be present.

P464-7
Section 2.2.1 contains information on the methane content of natural gas that would be supplied by the Project. Section 4.2.7.1 contains general information on the range of methane LNG may contain.

P464-8
The Independent Risk Assessment (IRA), which was independently reviewed by the U.S. Department of Energy's Sandia National Laboratories, evaluates the consequences of a potential vapor cloud (flash) fire, as discussed in Section 4.2.7.6 and the IRA (Appendix C1). The IRA determined that the consequences of the worst credible accident involving a vapor cloud fire would be more than 5.7 NM from shore at the closest point, as summarized in Table 4.2-1. Figure 2.1-2, Consequence Distances Surrounding the FSRU Location for Worst Credible Events, depicts the maximum distance from the FSRU in any direction that could be affected in the event of an accident. The shape and direction of the affected area within the circle depicted in Figure 2.1-2 would depend on wind conditions and would be more like a cone than a circle, but would not reach the shoreline. A methane fire would not behave as a single large fireball traveling with force, but instead an assemblage of many small fires whose ignition and duration would vary.

P464-9
NEPA does not require "worst-case analysis" but does require the agency to prepare a summary of existing relevant and credible scientific evidence and an evaluation of adverse impacts based on generally accepted scientific approaches or research methods. However, the Independent Risk Assessment (IRA) (Appendix C1) defines and evaluates representative worst credible cases (scenarios of events that would lead to the most serious potential impacts on public safety). These included accidents that would affect one, two, or all three tanks of the FSRU.

As shown in Tables 4.2-1, 4.2-2, 4.2-7, and 4.2-8, the release of the contents of all three tanks (the entire contents of the FSRU and an attending LNG carrier) is addressed in the escalation scenario

associated with a large intentional event. Section 4.2.7.6 contains additional information on how intentional events are addressed. Although the 2006 U.S. Department of Energy's Sandia National Laboratories third-party technical review of the 2004 IRA found that the three-tank simultaneous release (a massive LNG release in a short time period) was not credible, Sandia recommended the consideration of a cascading (escalation) three-tank scenario.

> The LNG is spilled on the water and the evolving LNG vapor is assumed to be ignited quickly resulting in a pool fire. For such a fire, thermal radiation hazards are assumed to extend in all directions from the fire.

The Revised DEIR also discusses other potential hazards of LNG particularly cryogenic temperatures (pg 4.2-18), but the hazards and scenarios outlined above have a greater potential impact on public safety.

The Revised DEIR does not properly account for the impact on public safety by vapor dispersion hazards because it uses the LFL of methane to assess such a hazard. As discussed above, the impact to public safety will be determined by the downwind distance to which the LNG vapor will remain flammable. The lower flammable limit (LFL) of (pure) methane/air mixtures are reported and used in the report; the LFL is determined experimentally for concentrations when the gases (air and methane in this case) are well mixed. However in the atmosphere, it is well understood that gas clouds such as considered here are not well mixed. Evans and Puttock ("Experiments on the Ignition of Dense Flammable Gas Clouds", International Symposium on Loss Prevention and Safety Promotion in the Process Industries, Cannes, September 1986) report that "small flames" can be observed to concentrations reaching 60% of the LFL. For on-shore facilities, 49 CFR 193 requires the determination of exclusion zones for vapor hazard distances to be based on LNG vapor concentrations of 2.5% (or 50% of the methane LFL). As discussed above, the Draft EIR/EIS listed 49 CFR 193 as part of the "Key Elements and Thresholds" used in the preparation of the report, but the Revised DEIR makes no reference to 49 CFR 193. This issue was also addressed in the publicly reviewed FERC report where vapor dispersion hazard distances were determined based on the 2.5% level (50% of the methane LFL). **The dispersion hazard distances will be significantly longer if estimated on the basis of some percentage of the LFL for LNG vapor in place of the Revised DEIR basis of using the LFL for methane.**

The vapor dispersion hazard analysis in the Revised DEIR is based on a computer model which has not been adequately verified or validated for this application. The Revised DEIR uses the publicly available computational fluid dynamics (CFD) model Fire Dynamics Simulator (FDS). FDS is a sophisticated computer model which has been studied with regard to simulation of fires; its stated intended purposes include:

- Low speed transport of heat and combustion products from fire
- radiative and convective heat transfer between the gas and solid surfaces
- Pyrolysis
- Flame spread and fire growth
- Sprinkler and heat detector activation
- Sprinkler sprays and suppression by water

P464-9 Continued

P464-9 Continued

P464-10

P464-11

P464-9 Continued

P464-10
The criteria given in 49 CFR 193 are based on the use of Gaussian models, which have inherent limitations especially when used on lighter than air gases such as methane. The specified use of half LFL is related to the Reynolds averaging time as it affects mixing. The computational fluid dynamics model used in the IRA does not have these inherent limitations because it has a different numeric basis and produces more accurate results that include uneven mixing. Therefore, using half LFL would be overly conservative (i.e., overestimates the impact) and is unnecessary.

Neither the above regulation nor the criteria it specifies are applicable to the proposed Project, which is (1) federally regulated by MARAD and the USCG and not by FERC, and (2) an offshore rather than an onshore facility. See the response to Comment P464-5.

P464-11
As discussed in the Executive Summary of the IRA, "FDS was selected because it is a first principle code that can address the important physical issues of the problem. These issues include gravity-driven spreading of dense materials; heat transfer effects; density changes; bouyancy effects; wind effects; and a fire model." It is also a public domain computer program and as such, its technical basis and source code is available to the public.

Further, Section 2 of Appendix C to the IRA contains information describing the validation of Fire Dynamics Simulator (FDS) for modeling of LNG releases. Section 5 of Appendix C2 EIS/EIR contains information documenting Sandia National Laboratories' independent technical evaluation of the validation of FDS for this application.

from page 6 of "Fire Dynamics Simulator (Version 4) Technical Reference Guide," NIST Special Publication 1018, Kevin McGrattan, editor. Specifically, FDS has not been verified for the purpose of predicting the dispersion of LNG vapor. It is well established that denser-than-air gases such as LNG vapor behave according to different physical rules than are used in FDS. There is no address of this concern in the Revised DEIR such as by considering how FDS or the boundary conditions used in the simulation can model the effects of the denser-than-air LNG vapor.

The IRA and SNL reports both refer to a validation exercise involving simulation of two field scale releases of LNG (Burro 8 and 9) with FDS. The validation exercise notes that these tests have been used by other investigators when considering dispersion model validation citing a paper on which I am a co-author. However, they fail to recognize that the paper they cite refers to comparison with 29 field scale tests. Since publication of that paper, there has been extensive wind tunnel scale tests aimed at providing an extensive data set whereby CFD models such as FDS can be validated for application to LNG vapor dispersion, and comparison with those data sets is not made in the IRA or SNL reports. The Burro 8 and 9 experiments are well known to show how terrain influences dispersion of a denser-than-air gas such as LNG vapor, but the SNL report indicates "The Burro series is the most appropriate data set for model result comparison," attributed to R.P. Koopman et al., "Burro Series Data Report – LLNL/NWC 1980 LNG Spill Tests," UCID-19075, Lawrence Livermore National Laboratory, Livermore, CA, 1982. The FDS simulations considered in the IRA and SNL reports do not take the effect of terrain into account but indicate the level of agreement is adequate given the sophistication of their modeling efforts. *The validation exercise reported in the Revised DEIR is inadequate in comparison with previous work in the field because of its limited scope.*

The SNL report does indicate that the FDS simulations were repeated on successively refined grids (two simulations: 5 m by 5 m by 1m resolution and 1 m by 1 m by 1 m resolution) as recommended in the FDS Technical Reference Guide. For the two simulations, the FDS simulations gave comparable results as would be desired (termed to be a "grid independent solution"). When applied to the vapor dispersion scenarios for the Revised DEIR, SNL and IRA reports indicate that two resolutions were again used (resolutions of 20 m by 20 m by 20 m and 10 m by 10 m by 10 m), but the two solutions did not show grid independence. In recognition of the difficulty of this problem, SNL *assumes* that the longer of the two distances adequately reflects the vapor cloud dispersion and subsequent flash fire hazard.

The Revised DEIR does not properly account for the impact on public safety by pool fire hazards because of the method used to model LNG pool spreading. The extent of the pool from an unconfined LNG spill on water is very important in the determination of the hazard distance associated with a pool fire. The Revised DEIR relies on the same methodology put forward by SNL and used in the first FERC report: the maximum extent of the spreading LNG pool is limited by how quickly LNG is spilled into the pool. After public review, the final FERC document (29 June 2004) recognizes that the LNG pool will continue to spread until the

P464-11 Continued

P464-12

P464-13

P464-11 Continued

P464-12
To date, there has never been a large spill of LNG to water. Conducting a large LNG spill to validate the models would result in adverse environmental consequences. However, models are commonly validated using experimental data. Section 2.3.4.2 of Appendix C1 contains information on tests executed by the U.S. Department of Energy and the calibration/verification of the Fire Dynamics Simulator model used in the Independent Risk Assessment. Appendix C1 provides additional information on this topic and Appendix C2, prepared by the U.S. Department of Energy's Sandia National Laboratories, contains information on the review and assessment of the models used.

The exclusion of terrain was considered in the evaluation of the model. As stated, an FDS simulation of the Burro 8 test was performed by ACE using a 5x5x1 m cell resolution. A maximum distance to LFL of 490 m was obtained as compared to 420 m from experimental data. Sandia also performed an FDS calculation of Burro 8 on a finer uniform grid (1 m cell widths in each direction with almost a total of 7 million cells) and found a maximum distance to LFL of about 500 m using a wind speed of 1.63 m/s at a 1 m elevation and an exponent of 0.186. A 20% difference with over prediction is within reasonable agreement given the resolution of the simulation, the use of a symmetry plane, and the exclusion of modeling the surrounding terrain. A symmetry plane will suppress any mixing down the centerline resulting in a greater distance to LFL. From the tests, the dispersion cloud impacted the surrounding terrain which had up to a 7 m rise. Thus, it is expected that by including the terrain that a shorter distance to LFL would result. FDS simulations performed by Sandia to date, as well as evaluation of the mathematical models of the code indicate that FDS is capable of simulating LNG dispersion, but a large number (10 million to 100 million) computational cells are required. It would be optimum to perform these dispersion simulations with finer resolution, however lower resolution simulations result in longer distances to LFL due to the turbulent mixing being under resolved. Therefore, the current FDS analyses provide a conservative assessment of safety hazard distances.

P464-13
The June 2004 FERC document was superseded by the December 2004 Sandia report, which was also publicly reviewed, and the "Sandia Review of Independent Risk Assessment" in Appendix C2.

pool is so thin it can no longer spread as a liquid pool. **The pool fire hazard distances will be significantly longer if estimated using the publicly reviewed FERC LNG pool spreading model in place of the Revised DEIR model.**

The Revised DEIR does not properly account for the impact on public safety by pool and flash fire hazards because it uses the criterion of 5 kW/m^2 to assess such a hazard. The extent of the thermal radiation hazard from a pool fire or a vapor cloud fire depends importantly on the radiation level used to determine the hazard. The Revised DEIR determines thermal radiation hazard zones based on exposure to 5 kW/m^2, which would be expected to produce second degree burns after 30 s exposure and third-degree burns (1% fatality) after 50 s exposure. A lower thermal radiation exposure level was used in the Draft EIS/EIR of 1.6 kW/m^2 because this is the thermal radiation level to which people can be exposed without harm for extended periods of time. The Revised DEIR notes that 1.35 kW/m^2 is the solar constant in a seeming attempt to compare this lower thermal radiation criterion (1.6 kW/m^2) to a bad sunburn. However, the solar constant is the (normal) incident solar radiation *outside* the earth's atmosphere. The recognized *maximum* incident solar radiation at sea level is only about 1.0 kW/m^2. **Thermal radiation hazard distances will be significantly longer if estimated using the criterion of 1.6 kW/m^2 in place of the Revised DEIR criteria.**

In summary, the Revised DEIR was prepared to address the objectives quoted at the beginning of this letter. The process of oversight of the IRA by SNL has greatly improved the Revised DEIR. In the Draft EIS/EIR, the maximum estimated hazard distance was 2.6 km, which was well within the proposed Area to be Avoided (ATBA) of 3.7 km (2 NM). In the Revised DEIR, the maximum pool fire hazard distance is 3.2 km based on the criteria of 5 kW/m^2; if the criteria of 1.6 kW/m^2 is used as was done in the Draft EIS/EIR, this distance will approximately double to 6.4 km exceeding the ATBA and overlapping the Traffic Separation Scheme (TSS). In the Revised DEIR, the maximum vapor cloud fire distance is 11.7 km, which will exceed the ATBA and overlap the TSS. There are several issues this situation presents:

- The danger to vessels in the ATBA and TSS is acknowledged, and based on average traffic, there would be three vessels exposed to a vapor cloud fire under the worst scenario studied using the conclusions in the Revised DEIR. The Revised DEIR indicates that "Vessels in the area could be notified during this time", but the important question may hinge on what action affected vessels will be advised to take. This question has not been addressed in the Revised DEIR.

- The Draft EIR/EIS reported hazard distances that were within the ATBA, but now that the Revised DEIR reports hazard distances outside the ATBA, there has been no recommended change in the ATBA. Regulations pertaining to on-shore facilities require that control be exercised over property identified as an exclusion zone based on thermal radiation and vapor cloud hazard assessment. It would seem reasonable that the same principle should apply here – hazard zones should

P464-13 Continued

P464-13 Continued

P464-14

P464-15

P464-16

P464-13 Continued

P464-14
Section 2.3.2 of the IRA (see Appendix C1) contains information on the public safety criteria and injury/fatality thresholds used in the IRA and notes that "(m)arine users are a special case in that their responses could involve direct entry into the water to avoid exposure."

As noted in Section 4.2.7.2, "Sandia has stated that 5kW/m^2 is commonly considered the heat flux level appropriate for protection of human health and safetyThe National Fire Protection Association (NFPA) standard for the production, storage, and handling of LNG recommends that this value be used as the design level that should not be exceeded at a property line or where people gatherThe NFPA is an international nonprofit organization that advocates for fire prevention and serves as an authority on public safety practices. Based on its field experience, the NFPA believes the current thermal limit is reasonable and has no plans to revise it. The IRA accordingly adopted the NFPA levels."

P464-15
Section 4.3.4 Impact MT-4 discusses methods of notifying vessels if an accident were to occur and contains information on the likely actions vessels would be advised to take.

P464-16
Sections 2.2.4, 4.3.1.4, and 4.3.4 address the size of the safety zone and area to be avoided around the FSRU, how they are established, and their potential impacts on marine traffic. According to Section 4.3.1.4, "the actual size of the ATBA would be determined through the advice and consent of the Office of Vessel Traffic Management of the USCG... The ATBA could not intrude on an established shipping lane available to vessel operators (public, commercial, and recreational vessels)." The safety zone could not be made larger because its size is governed by international law, to which the U.S. is a signatory.

not extend past the Area to be Avoided.

- The summary of public safety impacts and mitigation measures for the FSRU identifies Impact PS-1 as having a limited area of effect and meets the criteria of a Class II impact, and one of the mitigation measures identified is to establish the ATBA of 2 NM (AM PS-1d). Impact PS-2 deals with release of LNG with hazards extending beyond the 500 m safety zone and meets the criteria of a Class I impact (causing a loss of life or serious injury to people other than those employed by the Project). Impact PS-2 offers the same mitigation measure (AM PS-1d) without additional comment essentially saying that loss of life is threatened, but the ATBA is not recommended to be changed. A feasible mitigation measure that would mitigate this hazard is to extend the ATBA so that hazard zones do not extend past the ATBA.

P464-16 Continued

As stated above, these issues are based on the hazard zones as reported in the Revised DEIR; the current recommendations of risk reduction measures seem to be inadequate.

P464-17

Best regards,

Thomas O. Spicer, III, PhD, PE
Consulting Chemical Engineer

P464-16 Continued

P464-17
We respectfully disagree as indicated in the above responses. However, your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

From: jacqui spiros [capecodwest@charter.net]
Sent: Tuesday, April 25, 2006 10:27 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: LNG

Mr. Dwight Sanders,

I went to the public hearing in Malibu yesterday. It's imperative that Californians are heard. Liquified Natural Gas causes air and water pollution, and impacts wildlife and the enviroment. If LNG is released by accident, earthquake or terrorist attack it may evaporate and explode. LNG has caused serious loss of life and property. V030-1
California has better alternatives! V030-2
Please do not allow this to happen! V030-3

Sincerely, V030-4
Jacqueline Spiros

V030-1
Sections 4.6.4 and 4.18.4 discuss the Project's potential impacts on air and water quality. Sections 4.7.4 and 4.8.4 discuss the Project's potential effects on the marine and terrestrial environments.

V030-2
Section 4.2 and Appendix C discuss public safety risks resulting from accidents and intentional events. Sections 4.11.1 and 4.11.4 contain information on seismic and geologic hazards.

V030-3
Chapter 3 discusses alternatives considered.

V030-4
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

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To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Robin Sprueck
PO Box 25334
LA, CA 90025

From: Mari Stanley [mari_ellen@yahoo.com]
Sent: Friday, May 12, 2006 1:02 PM
To: BHPRevisedDEIR@slc.ca.gov
Cc: governor@governor.ca.gov
Subject: Against LNG Proposal

Dear Concerned Parties,
Please accept this letter and count it among the many voices AGAINST the proposal of allowing offshore LNG port construction and operations along the California coastline. P079-1
As a resident of California for over 44 years, I have been very active in numerous efforts to preserve our quality of life as it relates to enviromental issues and this project threatens everything I've worked towards for decades. I still vividly remember the stupidity of the past which brought us DDT leaks off the Palos Verdes Peninsula, oil spills from Santa Barbara and numerous health risks to the population from sewage spills. These days, our technology and science studies have improved to the extent that we KNOW the dangers posed and must work diligently to assure that no such threats can be approved until our ability to mitigate such "accidents" are as highly developed as the engineering science to build the threat being posed.
At this time, I must point out that no emergency response team is capable of handling any emergency that could arise even during the construction phase, much less after full operation is achieved. Most of the arguments I have read in support of or against only take into account the damage control upon full operational status. P079-2
Please consider that it is a highly questionable project to not fully plan for possible failures or emergencies during the construction phase. I cannot support such a hasty rush to new technology and science as it stands today, just as I would never subject myself or any loved one to medical procedures that have not been fully tested and proven through the governmental processes that exist today. All I can ask is that the same type of oversight be applied to this project, and not allow the California coastline to be subjected to this project as the proverbial guinea pig it appears BHP considers us. P079-3
I plead with you today to acknowledge that this project will pit the residents of this state against big business that seeks to endanger our quality of life and our futures. Do everything you can to stop this project in it's tracks now. We do not need more businesses affected by the bad press this project will generate.

Thank you,
Mari Stanley
Malibu, CA

_____
Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
http://mail.yahoo.com

P079-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P079-2
The design, construction, and operation of natural gas facilities are highly regulated; the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration and the California Public Utilities Commission's Division of Safety and Reliability have jurisdiction over pipelines. Section 4.2.8 discusses the background, regulations, impacts, and mitigation measures for natural gas pipelines. Section 4.2.8.4 describes Project-specific valve spacing and design requirements.

Sections 2.5, 2.6, and 2.7 contain information on Project construction components, including construction of the FSRU, the mooring system, offshore pipelines and shore crossings, and onshore pipelines and facilities. Section 2.5.1 contains information on the construction of the FSRU, which would be completed at an overseas fabrication port and towed to the mooring location by two oceangoing tugboats in accordance with a towing plan. MT-1 and MT-5 in Section 4.3.4 contain information on potential impacts on marine traffic and from offshore construction. AM MT-1a and AM MT-1b are Applicant measures that would be incorporated into the Project to minimize safety hazards during offshore construction. MM MT-1c, MM MT-1d, MM MT-1e, MM MT-1f, MM MT-1g, MM MT-5a, MM MT-5b, MM MT-5c, and MM MT-5d are mitigation measures to address potential impacts on marine traffic during construction.

Section 4.12.2 contains information on the International, Federal, State, and local laws, and regulations the Applicant would be required to follow for the storage and use of hazardous materials and the storage and disposal of hazardous wastes. As stated, "[p]lans that would be prepared and implemented include Spill Prevention, Control and Countermeasures (SPCC) Plans for onshore and nearshore activities; oil spill contingency plans for oil transport-related facilities; a Facility Response Plan for the FSRU; site-specific health and safety plans; and a Hazard Communication Plan."

Impact BioMar-2 in Section 4.7.4 and Impact WAT-3 in Section 4.18.4 contain information on potential impacts on the marine environment and water quality from a drilling fluid release at the HDB exit point. MM WAT-3a is a mitigation measure to prevent or avoid the potential for a drilling fluid release and to properly clean

up drilling fluid if a release occurs.

Impacts HAZ-2 and HAZ-3 in Section 4.12.4 contain information on potential impacts from an accidental release of oil or hazardous materials to soil and water or the release of existing contaminants during construction. MM HAZ-2a, MM HAZ-2b, WAT-3a, MM HAZ-3a, and MM HAZ-3b are mitigation measures that would minimize or prevent the release of hazardous materials or oils during construction.

Impacts WAT-1 and WAT-2 in Section 4.18.4 contain information on potential degradation of water quality due to accidental discharges or unearthing of contaminants during construction.

P079-3
Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

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To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

PASCAL STANSFIELD
6465 Surfside Dr.
Malibu 90265

V215

Good evening. My name is Kelley Stark. I am a lifelong resident of California and a U.S. Coast Guard licensed Captain. I am a graduate of the California Maritime Academy in Vallejo, California and a member of the Marine Engineers' Beneficial Association.

My entire seagoing career has been predominantly as a deck officer serving on tankships. I began my career at sea sailing oil tankers with Trinidad Corporation, Crowley Tug and Barge, and Exxon Shipping Company. I then sailed on LNG tankers with Energy Transportion Corp and then ProNav Ship Management Company for approximately 12 years.

The ETC/PronNav vessels I sailed on carried liquefied natural gas dedicated to the Indonesia-Japan and Brunei- Korea trade. On those LNG vessels, I worked as a United States Coast Guard Qualified LNG Cargo Officer. My responsibilities included every facet of loading liquefied natural gas from liquefaction facilities in the Far East; discharging of LNG to re-gasification facilities in the far east; and all shipboard operations pertaining to the safe transportation of liquefied natural gas.

My career also entails serving as a Marine Superintendent in the Middle East for Rasgas in Ras Laffan, Qatar. As a Marine Superintendent, I supervised the arrival, loading, and departure of LNG ships at Ras Laffan Industrial City in Qatar.

I worked very closely with vessel personnel to insure that company, local, national, and international rules and regulations concerning the safe loading of LNG were being followed.

Considering the fact that I was selected to work in the Middle East as a ship superintendent speaks volumes to the credibility of the training and experience that Americans have in the safe and secure transportation LNG.

Cabrillo Port, the floating storage and re-gasification terminal itself, will be an off-shore floating terminal. Thus, Cabrillo Port will not be a permanent platform, but rather, a temporary floating facility. When retired from service, Cabrillo Port will be detached from its mooring and towed to another location possibly for another use or even to be scrapped.

Cabrillo Port will not be visible from land to the naked eye, except from a few locations, and then only on the clearest days which account for less than 25 days per year. Even in those cases, Cabrillo Port will still be farther from shore than any of the 5000 ships that travel to and from southern California each year in the shipping lanes off the California coast.

Relying on natural gas from Mexico, which already imports natural gas from the United States to meet current demand, is not a good long term option, as the Mexican government has first right of refusal on the natural gas it imports and has already indicated that they will exercise that right for its citizens. The California Energy Commission estimates that demand for natural gas in Baja, California will grow by 7.6% per year. Therefore, in a region with 15 million people and growing, the gas demand in that region would likely absorb a significant part of the imported supplies, if not all. Neither California nor the United States Federal government has jurisdiction over LNG terminals in another sovereign nation or over contracts governing the reliability and distribution of natural gas imported through such terminals.

There is now a worldwide shortage of shipboard personnel qualified to transport LNG, and that shortage is expected to increase in the coming years. Provided that BHP utilizes the largely untapped pool of U.S. Coast Guard certified merchant mariners for this international endeavor that will supply security sensitive LNG to California, Cabrillo Port is the right project, in the right place and at the right time to meet California's need for natural gas. V215-1

V215-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

From: ANNELIES STEEKELENBURG [asteekelenburg@prodigy.net]
Sent: Thursday, May 11, 2006 3:22 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: BHP project ;natural gas

I like very very much to OPPOSE the BHP project for making liquid natural gas at sea. V052-1
This is like putting an oil well into a natural park, because that is what the Channel Islands are. V052-2

Sincerely ;
Annelies Steekelenburg , living in Malibu since 1971.

V052-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

V052-2
The FSRU would be located outside of the current boundary of the Channel Islands National Marine Sanctuary (CINMS) and vessels associated with Cabrillo Port operations would not be expected to enter the CINMS. Sections 4.7.1.4, 4.13.2.2, and 4.20.1.5 discuss the potential expansion of the CINMS boundary, which is not proposed at this time. Sections 4.7.4, 4.15.4, 4.16.4, and 4.18.4 describe potential impacts on the marine environment and proposed mitigation measures to reduce those potential impacts.

P266

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Stefanie Steinberg
PO Box 6292
Malibu CA 90265

P310

5-21-06

Dear Mr Sanders

Please do not allow any LNG ships to operate off the Malibu Coast. P310-1

We want to preserve the safety and beauty of our environment and no more smog for L.A. P310-2 P310-3

We do not need any natural gas in the U.S. We have plenty P310-4

But if you want to — put these ships near more populated area — P310-5

Thank you

Jean Stephenson
28128 Pacific Cst Hwy
Space 199
Malibu Ca 90265

P310-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P310-2
Section 4.2 and Appendix C address public safety impacts. Section 4.4 and Appendix F contain information on the visual resources, impacts, and mitigation. Appendix F describes how visibility from various distances was evaluated and provides additional simulations prepared for viewpoints at elevated sites along the Malibu coastline and inland areas.

P310-3
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. Section 4.6.1.3 contains revised information on Project emissions and proposed control measures. Section 4.6.4 discusses the health effects attributed to air pollutants and includes revised impacts and mitigation measures.

P310-4
Section 1.2.2 contains updated information on natural gas needs in the U.S. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency.

P310-5
Section 3.3.7 contains information on the specific California locations considered in the alternatives analysis. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore, as shown on Figure ES-1.

P288

2006/P288

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

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There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Lindsay Stevens
516 Manhattan Ave #4
Hermosa Beach, CA 90254

P473

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

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Sincerely,

Zakiya Steward

14133 Lomoli Ave apt # E-305
Hawthorne, CA 90250

CALIFORNIA MANUFACTURERS & TECHNOLOGY ASSOCIATION

May 5, 2006

Mr. Dwight E. Sanders
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Subject: Cabrillo Port: 2004021107

Dear Mr. Sanders:

The California Manufacturers & Technology Association (CMTA) is a trade association of 600 manufacturers including chemical, aerospace, high tech, biotech, pulp and paper, glass, oil, steel and others. CMTA advocates at the state legislature and before regulatory agencies in support of policies that help manufacturers remain competitive in the state and in opposition to policies that would impose unjustified mandates and costs on California manufacturers.

Manufacturers provide good quality, high-wage jobs to 1.5 million California citizens. While manufacturing employment has declined in the recent economic downturn, it is poised to rebound if manufacturers choose to expand and grow in California. But robust growth in the California economy will not be possible without adequate energy supplies.

Natural gas is a very important energy source for CMTA members, providing clean energy for both industrial processes and for electric generation. However, California produces only 13 percent of our natural gas consumption. Supply constraints beginning last year have already caused natural gas prices to rise, and the prospect for continuing high prices in the future is real. G002-1

Liquefied natural gas (LNG) is a source of natural gas that can help us meet our needs and help stabilize, and perhaps lower, the current high cost of natural gas. LNG is already an important source of supply for many regions in the world. CMTA believes LNG should be accepted as an important solution to our energy supply challenges. G002-2

Thank you for your consideration of our views on this important issue.

Sincerely,

Jack M. Stewart
President

980 Ninth Street Suite 2200 Sacramento CA 95814-2742
916-441-5420 fx 916-447-9401 www.cmta.net

G002-1
Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

G002-2
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P410

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

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Sincerely,

Jeremy Stewart
30708 Davy Jones
Agoura CA 91301

From: Dana Stokes [des835@sbcglobal.net]
Sent: Monday, May 08, 2006 11:56 AM
To: BHPRevisedDEIR@slc.ca.gov
Subject: no to LNG terminal

To Whom It May Concern,

I am writing to oppose BHP Billiton's proposed Liquified Natural Gas terminal on the California coast. The potential for high pressure natural gas explosions at a LNG terminal would threaten the health and safety of California's communities and our fragile coast. It would also waste an opportunity to power California's future with clean, safe and renewable sources of energy - like solar and wind power. P051-1 P051-2 P051-3

Sincerely,

Dana Stokes
Davis, CA

P051-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P051-2
Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

P051-3
Section 3.3.2 addresses renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to the Project.

P459

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

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Sincerely,

Sunbeam Stone
2639 Rambla Pacifico
Malibu, Ca. 90265

From: Carolyn Straub [castraub@earthlink.net]
Sent: Saturday, May 06, 2006 1:31 AM
To: BHPRevisedDEIR@slc.ca.gov
Subject: Proposed LNG Terminal in Southern California

We are against this action. It is crowding, polluting, and an example of urban clutter and over-industry on our California shores, especially in southern California. It is an ill-conceived plan hosted by President George W. Bush, his administration, and the captains of this industry. To satisfy the ***perceived*** American diet for more, more, more and it is not the answer. The answer is ***conservation***. P041-1 P041-2

The losses to the natural environment that we cherish in this state would be enormous within the oceans and shores. The danger to our cities would be another accounting. P041-3

This is not right; too much industry, too much money, and not enough or any respect for what spiritual and nature values God has given us.

Thank you for your interest.

Always,

Carolyn Straub
Steve McHenry

439 Chateau LaSalle Dr.
San Jose, CA
95111

408-286-8858

Carolyn Straub
Writer, Editor, Copy Editor, Instructor

Website:

http://home.earthlink.net/~castraub/thecopycleaner/

P041-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P041-2
Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

P041-3
Sections 4.7.4, 4.8.4, and 4.18.4 discusses these potential impacts to the ocean and shore. Sections 4.2.8, 4.4.4, 4.5.4, 4.6.4, 4.9.4, 4.13.4, 4.14.4, 4.16.4, and 4.17.4 discuss potential impacts to the cities where the Project would be placed.

Mike Stubblefield
1230 East Collins Street
Oxnard, CA 93036-1805
(805) 988-0339 (home)
(805) 498-6703, ext. 143 (work)
(805) 216-2630 (cell)
motodata@adelphia.net

Dwight Sanders
California State Lands Commission
Division of Environmental Planning and Management
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

RE: Revised Draft Environmental Impact Report for the Cabrillo Port LNG Natural Gas Deepwater Port (State Clearinghouse #2004021107)

Dear Mr. Sanders:

As the Air Quality Chair of the Executive Committee of the Los Padres Chapter of the Sierra Club, which spans all of Santa Barbara and Ventura Counties, I am submitting the following comments in response to the Air Quality part of the Revised Draft Environmental Impact Report for the Cabrillo Port LNG Natural Gas Deepwater Port ("Revised DEIR").

A summary of our concerns

The Los Padres Chapter of the Sierra Club is seriously concerned about several aspects of the Revised DEIR's analysis of the air quality impacts of this proposed project. For example, the Revised DEIR neglects to analyze all of the emissions that will result from the proposed project. And what analysis it does include is often based on incorrect assumptions. It also excludes certain emissions from its analysis altogether. G015-1

Amazingly, the Revised DEIR never acknowledges that the emissions from this project *will flow onshore* and, because of this serious omission, it doesn't apply onshore thresholds of significance. By analyzing only those emissions within 25 nautical miles of the coastline, the Revised DEIR fails to truthfully disclose the likely air quality impacts to Ventura County, which is not now, and never has been, in compliance with State and Federal standards for oxides of nitrogen (NOx), a precursor of ozone and photochemical smog. G015-2

We are particularly concerned about the Class I (significant and unavoidable) air quality impacts that will result from this project if approved. These serious impacts are either ignored or omitted by the Revised DEIR, which instead relies on the United States Environmental Protection Agency's (USEPA) outrageous decision *to change the rules* G015-3

G015-1
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. The following Project changes would reduce emissions of nitrogen oxide and other air pollutants:
- Reduction in the number of LNG carriers and change in crew vessel trips;
- Use of natural gas to power LNG carriers in California Coastal Waters;
- Diesel-fueled support vessels with emission controls; and
- Use of specific engine standards for onshore construction equipment.
The Applicant has committed to implement the following additional measure to reduce air emissions:
- Repowering of existing non-Project vessels with cleaner-burning engines.
These changes required revisions to air pollutant emission estimates and related air quality analyses.

Section 4.6.1.3 contains revised information on Project emissions and proposed control measures. Section 4.6.4 contains revised information on Project impacts and mitigation measures. These revisions address the concurrent emission of ozone precursors from the FSRU and Project vessels.

G015-2
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. Section 4.1.8 contains a detailed description of the marine climatic setting. Section 4.6.1.2 has been revised to provide an expanded discussion of the potential transport of offshore air pollutant emissions to onshore areas due to meteorological conditions. Section 4.6.4 contains revised analyses of the impacts on air quality from the emissions of criteria pollutants, ozone precursors, and toxic air pollutants from the FSRU and Project vessels.

The air dispersion modeling analysis of the criteria air pollutant emissions from FSRU and Project vessel operational activities includes prediction of impacts at receptors located from the coastline to 2 miles inland spanning approximately 44 miles from Ventura to Malibu. Additional receptors were also placed along the coastline spanning approximately 38 miles from Malibu to the Palos Verdes Peninsula located directly south of Los Angeles.

G015-3
The USEPA has made a preliminary determination, on which the

lead agencies must rely, that the FSRU should be permitted in the same manner as sources on the Channel Islands that are part of Ventura County. Section 4.6.2 contains an updated discussion of relevant regulatory requirements.

that apply to the project in order to avoid responsibility for providing suitable mitigation and offsets.

The Los Padres Chapter is disappointed that the Revised DEIR for a project of this magnitude fails to acknowledge the greenhouse gas emissions that Cabrillo Port will surely produce. The estimated carbon dioxide (CO_2) emissions of the Floating Storage and Regasification Unit (FSRU) alone are significant. But when you factor in the CO_2 emissions of the carrier vessels themselves, the numbers are staggering! Even though the carrier vessels will run on natural gas, according to the Revised DEIR, the CO_2 emissions produced by burning natural gas are significant. The Revised DEIR provides an estimate of these emissions *within 25 nautical miles of the coast*, but it neglects to mention the greenhouse gas emissions of these vessels as they make their 12,000 mile trip across the Pacific Ocean, and back. At 2.5 ships a week, that's a significant omission that, had it been honestly and accurately analyzed, would have shown the true impact of this project on global warming.

In summary, we are disappointed by the unspoken but obvious subtext that permeates the air quality section of the Revised DEIR: underestimated air emissions, little useful impact analysis and few mitigation measures, all of which are legally mandated, to the maximum feasible extent, by the California Environmental Quality Act (CEQA) and by the National Environmental Policy Act (NEPA).

BHP Billiton is being allowed to play by different rules

The October 2004 Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR) for the Cabrillo Port project claimed that there would be *no* Class I air quality impacts, because at that time no one disputed that the project would have to comply with the air quality laws of Ventura and Los Angeles County, respectively. And how did the Draft EIS/EIR reach the conclusion that there wouldn't be any Class I impacts? Because it was assumed that any air quality impacts could simply be mitigated by offsets such as mitigation measures or emission reduction credits (ERCs). Yet the 2004 Draft EIS/EIR did not provide any documentation supporting this assumption.

BHP Billiton would *never* have been able to comply with the offset requirements of Ventura or Los Angeles County alone, much less the offset requirements of *both* counties. Why? Because there simply aren't enough ERCs available to offset a project of this magnitude. So what did Billiton do? It apparently convinced the EPA, the Ventura County Air Pollution Control District (VCAPCD) and the South Coast Air Quality Management District (SCAQMD) that it should be *allowed to play by different rules.* Because now the Revised DEIR asserts that Cabrillo Port is no longer subject to the same rules that apply to every other industrial facility located in Ventura County (and not even Procter and Gamble, our biggest industrial facility, is as big as Cabrillo).

Now, in the Revised DEIR, Billiton acknowledges that there *will* be certain unavoidable Class I impacts! Yet, like the 2004 Draft EIS/EIR, the Revised DEIR still

G015-3 Continued

G015-3 Continued

G015-4

G015-4
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. LNG carriers associated with the Project would operate on natural gas (boil-off gas from the LNG cargo) with 1 percent diesel pilot during all operations in California Coastal Waters. Section 4.6.1.3 contains information on emissions from LNG carriers operating in California Coastal Waters, as defined by the California Air Resources Board.

As stated in Section 4.6.4, in addition to regulated air pollutants, the Project would generate emissions of the greenhouse gases CO_2 and methane (natural gas). The CO_2 emission coefficient for natural gas is 117. Coal (approximately 78 percent carbon) and oil (approximately 85 percent carbon) have higher carbon contents (more pounds of carbon per MMBtu) than natural gas (approximately 75 percent carbon), which leads to greater carbon emissions when combusted (more tons of CO_2 per megawatt hour produced). For comparison, the CO_2 emission coefficient for No.2 fuel oil and anthracite coal are 161, and 227 pounds of CO_2 per MMBtu, respectively.

G015-5

If the proposed Cabrillo Port Project is not approved, SoCalGas may obtain its gas from elsewhere in North America. In this scenario, the combustion would occur anyway, i.e., would be in the baseline scenario. In the absence of the Cabrillo Port Project, it is also highly unlikely that the natural gas would be left in the ground in Western Australia; it would likely be extracted, liquefied, transported, and sold elsewhere. For the proposed Cabrillo Port Project, the additional life cycle emissions that can be attributed specifically to the Project would be only the portion of those emissions that would be generated by transporting the LNG across the Pacific Ocean to the Cabrillo Port facility. If the LNG were imported into a different receiving facility in California, the GHG emissions would be the same as those of the proposed Project.

See also the response to Comment G015-5.

G015-6

G015-5
Impact AIR-4 and Impact AIR-5 in Section 4.6.4 have been revised to provide specific information regarding the Applicant's emissions reduction programs and their review by the USEPA and the California Air Resources Board (CARB). As part of air permit-to-construct application procedures, the Applicant has

committed to the USEPA to achieve emissions reductions (in addition to reductions inherent to the Project) to an amount equal to the FSRU's annual NO_X emissions. The Applicant has executed contracts to retrofit two marine vessels (long haul tugs) by replacing the propulsion engines of each vessel with modern low emitting engines (Tier 2 compliant diesel-fired engines). At the request of the USEPA and the CARB, the Applicant conducted source testing to assist in determining the emission reductions expected as a result of the retrofits. Both the USEPA and the CARB have reviewed the results, but there is not yet a consensus on the estimated emission reductions from the mitigation proposal.

Based on the USEPA's and CARB's estimates, the proposed Emissions Reduction Program (AM AIR-4a) would provide for NO_X emission reductions greater than the estimated annual NO_X emissions from FSRU equipment and estimated NO_X emissions from operation of LNG carrier offloading equipment. However, the total emission reductions would be less than the annual NO_X emissions estimated for all operations (FSRU and Project vessels) in California Coastal Waters, as defined by the CARB. According to CARB, the emission reduction proposal "represents more than what would otherwise be required by the current determination of applicable regulations."

Appendix G9 contains a memorandum from the CARB to the CSLC on this topic. Electronic copies of the Applicant's reports submitted to the USEPA that detail the tug retrofits and related emission reductions are available at www.epa.gov/region09/liq-natl-gas/cabrillo-air.html.

G015-6
The USEPA is responsible for determining the designations of each region of the United States with respect to the National Ambient Air Quality Standards. The USEPA is also responsible for determining the Federal, State, and local air quality laws and regulations that are applicable to deepwater ports, including Cabrillo Port.

Ventura County Air Pollution Control District (VCAPCD) Rule 26.2 and South Coast Air Quality Management District (SCAQMD) New Source Review Regulation XIII are applicable only to stationary source emissions. Further, the USEPA has made a preliminary determination that the emission offsets requirements outlined in VCAPCD Rule 26.2 are not applicable to Cabrillo Port equipment and operations.

Section 4.6.2 discusses the current regulatory position of the VCAPCD, which was detailed in a letter of November 14, 2006.

See also the response to Comment G015-5.

G015-6 Continued

fails to address how those impacts will be mitigated or offset, because now, according to the EPA, it doesn't really have to do so. Why? Because now it's only required to comply with the emissions requirements mandated for the Channel Islands (!), which the EPA (incorrectly) characterizes as an "attainment" area. In an apparent attempt to relieve BHP Billiton of the inconvenience of having to actually comply with County and State air emission laws, the EPA found a convenient loophole, in the 1994 Air Quality Management Plan for Ventura County, which exempted the U.S. Navy facility at San Nicholas Island (67 miles off the coast) from using Best Available Control Technology (BACT) on its diesel generators that produce electricity for a small military research facility four times as far from our coastline as Cabrillo Port. And this leads to our next concern.

G015-6 Continued

The Revised DEIR incorrectly characterizes the Channel Islands as a Federal "attainment" area

In the Draft DEIR, the Channel Islands are characterized as an "unclassifiable/attainment" area, which sounds like they're in attainment, sort of. But what this characterization actually means is that there is insufficient data or no data to indicate whether an area is "attainment" or "nonattainment." Of course, the air quality in the Channel Islands area might very well be slightly better than the air quality in Ventura County. But the Channel Islands are, as you know, a National Park, so we Americans would like to *keep* the air quality of the Channel Islands National Park as pristine as possible. The air quality around the Channel Islands is already degraded by the daily ship traffic in the Santa Barbara Channel and by numerous oil drilling platforms off the coast between Santa Barbara and Oxnard. It hardly seems appropriate to locate another major industrial facility of the magnitude of Cabrillo Port near a National Park. Moreover, the EPA's decision to allow Billiton to characterize the Channel Islands as an attainment area in order to mislead the public into thinking that the air quality of the Channel Islands is clean – when really it's not – appears to be an attempt to strengthen the EPA's decision to exempt Cabrillo's emissions from New Source Review by attributing it to sources (a lighthouse and a ranger dwelling!) regulated on Anacapa Island.

G015-7

G015-7
Sections 4.6.1.3 and 4.6.2 contain revised information on the air quality designations for the Channel Islands that are within the boundaries of Ventura County (Anacapa and San Nicolas Islands). The determination of the air quality designations of the Channel Islands, including those in Ventura County, with respect to National Ambient Air Quality Standards, is under the jurisdiction of the USEPA.

G015-8
The Project has been modified since issuance of the March 2006 Revised Draft EIR. Section 4.6.1.3 contains updated information on Project emissions, including a summary of combined annual emissions generated from the operational activities of the FSRU and Project vessels. Section 4.6.4 contains information on air quality impacts associated with the concurrent emissions from the FSRU and Project vessels.

In the Statement of Basis for the Proposed Clean Air Act Permit to Construct Cabrillo Port, the USEPA made a preliminary determination that the FSRU is not subject to Prevention of Significant Deterioration (PSD) regulations because the overall function of the FSRU does not meet the definition of one of the 28 named source categories and the potential-to-emit of each criteria air pollutant emitted from permitted sources is less than 250 tons per year.

The Revised DEIR arbitrarily separates Cabrillo Port emissions and LNG carrier vessel emissions

One reason that Billiton wants to put Cabrillo Port in Federal waters is that the EPA, which is supposed to protect and preserve the environment, will allow it to emit a whopping *250 tons per year of any of the 28 criteria pollutants* (things like hydrocarbons, carbon monoxide and oxides of nitrogen). Yet, despite this generous gift to Billiton at the expense of our county, the Revised DEIR deftly understates the proposed emissions of the FSRU and the LNG carrier vessels by treating their emissions *separately*, even though we all know that the emissions of the LNG carrier vessels and the FSRU are

G015-8

effectively one and the same thing because the vessels will in fact be docked, for two or three days straight, to the FSRU while they pump their LNG, engines running all the while, onto the FSRU. And what are those proposed emissions? Well, if you buy into the false logic of the Revised DEIR, you won't find any proposed emission over the 250 ton/year level allowed in Federal waters. But when you *add the proposed annual emissions of the LNG carrier vessels to the FSRU*, a darker picture emerges, to wit:

277 tons/year of CO
231.2 tons/year of NOx
47.7 tons/year of ROCs

In other words, the Revised DEIR intentionally understates the projected annual emissions of the FSRU and the carrier vessels by arbitrarily and capriciously separating them as if they were two separate facilities. Separating these emissions is disingenuous, it's dangerous and it's an insult to the intelligence of our community. Let's be frank: The emissions from this facility will be significant. In fact, they will be gross! Ventura and Los Angeles Counties are non-attainment areas for NOx. L.A. County is a non-attainment area for *everything*! The Ventura County APCD and the South Coast Air Quality Management District are desperately trying to improve the quality of our air. Here in Ventura County, we should have achieved compliance in 1990! Yet 16 years later we're still struggling to do so. Yet the projected 231.2 tons/year of NOx for Cabrillo Port exceeds by a country mile the NOx emissions of Ventura County's biggest current NOx emitter, Procter and Gamble, which emits a paltry by comparison 176 tons/year.

The Draft DEIR doesn't acknowledge the prevailing onshore wind flow patterns of the California Bight

Into what kind of environment would Cabrillo Port be spewing these gross criteria pollutants? "The air over Ventura County often exhibits weak vertical and horizontal dispersion characteristics, which limit the dispersion of emissions and cause increased ambient air pollutant levels. Persistent temperature inversions, i.e., temperature increases as height increases, act as a 'ceiling' that prevents pollutants from rising and dispersing. Mountain ranges act as 'walls' that inhibit horizontal dispersion of air pollutants. The diurnal land/sea breeze pattern common to Ventura County transports air pollutants toward the ocean during the early morning by the land breeze and toward land during the afternoon by the sea breeze. This creates a 'sloshing' effect, causing pollutants to remain in the area for several days. *Residual emissions from previous days accumulate and chemically react with new emissions in the presence of sunlight, thereby increasing ambient air pollutant levels*" (pp. 4.6-3 & 4.6-4 of the Revised DEIR).

Yet, even though the Draft DEIR describes the prevailing weather patterns in Ventura County and the South Coast Air Basin, it omits any discussion of the general onshore wind flow patterns that characterize the ocean off this part of Southern California. Because of these patterns, offshore emissions always end up onshore. The

G015-8 Continued

G015-8 Continued

G015-9

G015-9
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. Section 4.1.8 contains a detailed description of the marine climatic setting. Section 4.6.1.2 has been revised to provide an expanded discussion of the potential transport of offshore air pollutant emissions to onshore areas due to meteorological conditions. Section 4.6.4 contains revised analyses of the impacts on air quality from the emissions of criteria pollutants, ozone precursors, and toxic air pollutants from the FSRU and Project vessels.

The air dispersion modeling analysis of the criteria air pollutant emissions from FSRU and Project vessel operational activities includes prediction of impacts at receptors located from the coastline to 2 miles inland spanning approximately 44 miles from Ventura to Malibu. Additional receptors were also placed along the coastline spanning approximately 38 miles from Malibu to the Palos Verdes Peninsula located directly south of Los Angeles.

Section 4.6.4 contains a comparison of Project offshore emissions that occur in Ventura County waters to significance criteria outlined in Ventura County Air Quality Assessment Guidelines. No offshore emissions would occur in Los Angeles County waters as a result of the Project. Since the USEPA has proposed to issue an Authority to Construct under Ventura County Air Pollution Control District (VCAPCD) Rule 10, Ventura County significance criteria are not applicable to Cabrillo Port equipment or operations. Emissions from Project vessels (i.e., LNG carriers, tugs, service vessels) operating in Federal waters are not subject to regulation under the Deepwater Port Act, and therefore, the significance criteria or emissions offsets established for Ventura County or Los Angeles County are not applicable.

The USEPA has jurisdiction to administer air quality regulations and required air permits for applicable Project activities that occur outside of the boundaries of California counties, including operation of the FSRU. The SCAQMD has jurisdiction to administer air quality regulations and required air permits for applicable Project activities that occur within Los Angeles County, including construction of the Line 225 Loop pipeline. The SCAQMD also provided comments on the March 2006 Revised Draft EIR that have been taken into consideration.

G015-9
Continued

emissions produced by Cabrillo Port, the LNG carrier vessels and any support vessels are no exception. They too will end up in Ventura County and the South Coast Air Basin. Both areas are already, and always have been, non-attainment areas for NOx, a precursor of ozone and photochemical smog. Significantly, the proposed project will produce an enormous amount of NOx and reactive organic compounds (ROCs), the other ingredient needed to make smog. Numerous meteorological studies have confirmed this phenomenon, yet the Draft DEIR fails to mention it anywhere. One of the more recent papers documenting this phenomenon, from Ms. Camille Sears, who was commissioned by the Environmental Defense Center (EDC) of Santa Barbara, should already be in your possession.

In her report, as you likely already know, Ms. Sears asserts that "offshore emissions in the Project area are part of the onshore ozone nonattainment problem." Sears' study offers credible evidence that Cabrillo Port's emissions will end up onshore and strengthen our non-attainment status here in Ventura County and in Los Angeles County. In fact, Ms. Sears opines that "emissions from the Project *will blow onshore roughly 80 percent of the time* [italics mine]."

Ms. Sears' findings are underscored by the California Air Resources Board (CARB), which has found that the prevailing wind direction blows onshore "11 months of the year in Oxnard, nine months of the year at Pt. Mugu Naval Air Station and 11 months of the year in Santa Monica."

In short, whatever emissions are produced by Cabrillo Port will end up in Ventura County and in Los Angeles County. Unfortunately, these are emissions that these two counties can ill afford to deal with because both counties are already in nonattainment for NOx, and in the case of Los Angeles, for virtually everything else that Cabrillo will emit.

Of course not all of this pollution will foul the air over Ventura County and the Channel Islands. A lot of it, most of it, perhaps, will gently waft its way over the greater Los Angeles area. "The South Coast Air Basin is surrounded by mountains on three sides and Pacific Ocean on the remaining side. The mountains often serve as a barrier when regional scale winds are weak. Under these conditions, air pollutants are not transported out of the basin, resulting in the build-up of pollutant concentrations. Prevailing wind patterns off the ocean carry pollutants eastward across the basin, *enabling continual photochemical reactions to occur as new emissions are added to the existing pollutant concentrations*. Intense sunlight provides the ultraviolet light necessary to fuel the photochemical reactions that produce ozone. Metropolitan Los Angeles has a low average wind speed. Mild sea breezes slowly carry pollutants inland. In the summer, temperature inversions are stronger than in winter and prevent ozone and other pollutants from escaping upward and dispersing." (p. 4.6-4, lines 12-25 of the Revised DEIR).

The Revised DEIR understates Cabrillo Port's significant greenhouse gas emissions

Finally, I'd like to address the issue of global warming. "The gases most responsible for global warming are carbon dioxide (CO_2) and methane. It is becoming more widely accepted that *continued increases in greenhouse gases will contribute to global warming*" (p. 4.6-2, lines 20-22 of the Revised DEIR). The greenhouse gas emissions from the Cabrillo project will be caused primarily by CO2, which is always produced as a natural byproduct of combustion. CO2 is also produced by the powerplants for the LNG carrier vessels and the support vessels, and by operation of the liquefaction plant on the FSRU. What the Revised DEIR fails to mention is that methane is also a greenhouse gas, which is *23 times more effective at retaining heat than CO_2*. The LNG that Billiton proposes to bring here is extremely high in methane. G015-10

Moreover, the Revised DEIR's estimate of the greenhouse gas emissions that will be produced by Cabrillo Port, while it paints a fairly rosy picture, is inaccurate in the extreme. I refer you to *LNG Supply-Chain Emissions: Australia to Offshore Ventura* by Mr. Rick Heede, who was commissioned by the EDC to do a comprehensive study on the estimated total project greenhouse gas emissions that will be produced by the *full supply chain*. I believe that you also have this document in your possession. G015-11

Mr. Heede's report looks at the estimated greenhouse gas emissions from natural gas production at the Scarborough offshore gas field, transportation of the natural gas by subsea pipeline to the proposed LNG plant at Onslow, gas processing and liquefaction at Onslow, shipment of the LNG 9,000 miles from Australia to California, regasification at the FSRU, delivery into the SoCalGas infrastructure, and consumption by end users. And Mr. Heede's conclusion? When all of these sources are factored into the picture, the supply chain greenhouse gas emissions for the Cabrillo project will be between 23,564, 431 and 26,728,883 tons per year. This is a *conservative* estimate that assumes state-of-the-art technology for the processing and liquefaction plant in Onslow and excludes some smaller factors such as travel by BHP crews, etc.

That sums up our objections to the air quality part of the Revised DEIR. Mr. Sanders, if the California State Lands Commission allows this proposal to go forward, it will undermine the progress made by the Ventura County Air Pollution Control District and the South Coast Air Quality Management District for years and years to come. Please don't approve this project. Thank you. G015-12

Sincerely,

Mike Stubblefield
Air Quality Chair
Los Padres Chapter Executive Committee
Sierra Club

G015-10
Sections 4.6.1.4 and 4.6.2 contain information on Project emissions of greenhouse gases and recent California legislation regarding emissions of greenhouse gases.

G015-11
See the response to Comment G015-4.

G015-12
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

From: Mike Sullivan [msullivan@san.rr.com]
Sent: Friday, May 05, 2006 11:58 PM
To: BHPRevisedDEIR@slc.ca.gov

Dear California State Lands Commission,

I am writing to ask you to oppose the BHT Billiton proposal for a LNG terminal in the Venture/Oxnard area. V042-1 We do not an energy support facility in this area and instead should be focusing our efforts on improving energy efficiency and conservation. V042-2 There is so much waste and misuse of resources because of our own behavior and the inherent inefficiency of our daily work and living environment. We should work hard to improve our daily activities so that we consume less and take better care of and appreciate the things that we have.

Thank you

Michael Sullivan
10930 Vivaracho Way
San Diego, CA
92124-2228

V042-1
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

V042-2
Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan. Section 3.3.1 addresses energy conservation and efficiency, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as an alternative to the Project.

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To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

April 19, 2006

Dwight Sanders
State lands commission,
100 Howe Avenue
Suite 100 South
Sacramento California 95825-8202

Re: Stop Cabrillo Port LNG

Dear Mr. Sanders,

Please stop Cabrillo port LNG industrial plant from progressing any further in the permit process. California law prohibits industrial intrusion on highly scenic areas. The last remaining wild areas on the Southern California Coast will be permanently despoiled if this industrial plant is installed. In fact over 10 national parks, national recreation areas, state, city and county parks will be despoiled. This would forever impact the quality of life of the areas residents and negatively impact the millions of vistors who come to hike and enjoy the seashore. In addition, federal and state governments own studies show that this project would:

- result in both short term and long term adverse impacts to the coast and it's residents.
- Increase smog levels (tons of pollutants spewing directly upwind from our houses, beaches and hiking trails.
- contain 14 story high pollution spewing industrial towers with lines of support ships which forever will be our new horizon. This towers will be brightly lit at night being a 24 hour eye sore .
- harbor the possibility of a 14 mile wide explosive flash fire due to an accident of terrorist attack.
- be visible from all elevations in malibu from downtown Malibu all the way to Port Hueneme.
- require a "security zone" of 2.3 miles around it. (to protect from terrorism, accidents etc) which is in the same shipping channel where 10,000. container ships and oil tankers use annually.

There are many more negative impacts than the above "official" ones disclosed by the federal and state study.

PLEASE do not allow this to go forward. We, the citizens of Southern California will fight this project until it is derailed. Our money and time can be spent on projects that truly will improve the quality of life in Southern California rather than just provide an opportunity for foreign Companies to sell us gas that they and we do not need.

Sincerely,

Cathleen Summers

CATHLEEN SUMMERS
31708 BROAD BEACH ROAD
MALIBU CA 90265

P407

To view the responses to this letter, go to "Index--Read this First" and select "2006 Letters--Form Letter."

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Sincerely,

JAY SUNDHER
29407 Blue water
Malibu, CA

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2006/P477

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Sincerely,

Dr. Edith L Swerdlow

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2006/P476

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Sincerely,

Harry R. Swallow

From: Nancy Symons [nsymons@adelphia.net]
Sent: Thursday, April 20, 2006 12:33 PM
To: BHPRevisedDEIR@slc.ca.gov
Subject: Cabrillo LNG Deepwater Port - State Clearinghouse #2004021107

Re: My comments on Revised Draft EIR - State Clearinghouse No. 2004021107

I have reviewed the revised draft EIR and I have the following concerns with this project that I believe should be addressed in the final EIS/EIR.

- I believe the level of risk to human health and safety associated with this unproven technology (floating docking station) is not acceptable. Oxnard should not be the "guinea pig" for this project. Last year we saw an oil and gas platform owned by BHP Billiton ripped from its moorings in the Gulf by Hurricane Rita because it was not designed for a Level 5 hurricane. I do not believe we have adequate assurances in the EIR that the design of this project is safe. P014-1 P014-2
- The beach and coastal areas impacted by this project have many endangered species. Biological impacts from tankers and tugboats will be severe. Air pollution impacts are significant and it appears that mitigation can not be made to meet satisfactory levels. P014-3 P014-4
- The EIS/EIR should analyze what the benefits of spending the same investment on demand management and renewable energy sources would be for California and the nation. We should not increase our reliance on foreign sources of energy. A full public review of the need for future natural gas supplies from foreign sources and alternatives needs to be undertaken. P014-5
- Geographic alternatives which have a lower overall environmental impact, in less populated areas of California need to be considered. All suitable locations, including Alaska, need to be assessed. Locations which seem to be selected based primarily on lowering pipeline costs are based on the wrong priorities. P014-6
- Security and emergency preparedness resources in the county are already strained and budgets are being cut. The Alaska Airlines disaster illustrated many of these issues. Last year a false tsunami warning demonstrated that coastal areas of California including Oxnard are not prepared for coastal emergencies/disasters. The security and preparedness measures that would be required for this project (for incidents caused by human error, earthquake or terrorist attack) would cost a huge sum. If this project goes ahead, these costs should be factored into the cost benefit analysis and a fund to fully cover the expense should be set aside by the developers of this project for the benefit of Oxnard and the County. I don't believe the claims I have heard that "this project will not cost taxpayers a penny". P014-7
- Locating large gas pipelines through residential areas in a seismic hazard zone is too risky and in fact irresponsible. Oxnard is an area of liquefaction. Refer to Seismic Hazard Zone Report for the Oxnard 7.5 Minute Quadrangle, Ventura County, CA, 2002, Department of Conservation, CA Geological Survey P014-8
- The 1977 Oxnard City Council LNG EIR study showed up to 70,000 casualties from an LNG accident offshore, without even considering sabotage or terrorist attacks in risk assessments. What has changed to make this proposal acceptable? The diameter of the hazard zone has been increased from the initial EIR to the revised draft. How do we know that this assessment of the size of hazard zone is not still underestimated? P014-9
- In assessing the economic cost benefits of the project at national, state and local levels, consideration of restitution to local property owners is required for any significant negative impact on property values. These are the only assets many residents have for financing their retirement. An assessment of impact on home insurance rates, which are already the highest in the country, should be included. There is much talk of the project helping to hold down future gas price increases. Oxnard will bear the costs of this project but there is no assurance that our gas prices will be held down? P014-10
- We came to Oxnard Shores to retire a few years ago because of its beauty and coastal way of life. We do not want to relocate. Our quality of life will be diminished, pollution will increase P014-11

P014-1
Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

P014-2
The Typhoon Platform, a tension leg production platform in the Gulf of Mexico jointly owned by Chevron and BHPB, was severed from its mooring and severely damaged during Hurricane Rita. The Typhoon Platform was designed for a different purpose using different design criteria.

The Cabrillo Port must be designed in accordance with applicable standards, and the USCG has final approval. Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies performance levels that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. If the FSRU were to become unmoored, the patrolling tugboats could be used to hold it in place. Section 4.3.1.4 addresses this topic.

The regulation implementing the Deepwater Port Act (33 CFR 149.625 [a]) states, "Each component, except for those specifically addressed elsewhere in this subpart (for example, single point moorings, hoses, and aids to navigation buoys), must be designed to withstand at least the combined wind, wave, and current forces of the most severe storm that can be expected to occur at the deepwater port in any 100-year period." By definition, a 100-year wave event is expected to occur once every 100 years on average over the course of many hundreds of years. The EIS/EIR's analyses have been developed with consideration of these factors

and regulations.

P014-3
Section 4.7.4 discusses potential impacts on marine sensitive species. Section 4.8.4 discusses potential impacts on coastal sensitive species.

Project impacts on coastal ecosystems would be limited to the pipeline corridor during construction and operation (see Section 2.1). The shore crossing required for the proposed Project would be installed beneath Ormond Beach. With the proposed mitigation, the potential impacts of construction, operation, or an accident on terrestrial biological resources would be reduced to a level that is below the significance criteria.

P014-4
The Project has been modified since issuance of the March 2006 Revised Draft EIR. See Section 1.4.2 for a summary of Project changes. Section 4.6.1.3 contains revised information on Project emissions and proposed control measures. Section 4.6.4 discusses the health effects attributed to air pollutants and includes revised impacts and mitigation measures.

P014-5
Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan. Sections 3.3.1 and 3.3.2 specifically address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

Section 1.2 discusses dependence on foreign energy sources.

Both NEPA and the CEQA require the consideration of alternatives to a proposed project. A lead agencys lack of jurisdiction over a potential alternative is one factor that it may consider in determining if a potential alternative is feasible, reasonable, and merits detailed study in an EIS/EIR. Whether a potential alternative is purely hypothetical or speculative, or whether the potential alternative can be accomplished in a successful manner in a reasonable period of time are additional factors the lead agency may consider in assessing the feasibility and reasonability of the potential alternative.

From a NEPA perspective, while a Federal agency must analyze "a

range of reasonable alternatives" (as opposed to any and all possible alternatives), and may be required to analyze an alternative that is outside the capability of an applicant and that is outside the jurisdiction of the agency, the threshold question in determining whether to analyze any alternative is whether that alternative would be a "reasonable" alternative. Reasonable alternatives include those that are practical and feasible from the technical and economic standpoint and using common sense (CEQ 40 Questions; #2a).

To provide for an effective "hard look" at the alternatives the agency must limit the range to those alternatives that will best serve the environmental review process, and not needlessly examine and discuss in depth remote or speculative alternatives that that discussion does not facilitate a better decision making process. As stated in 40 CFR 1502.14(a), the EIS should "rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated."

Section 15126.6(a) of the State CEQA Guidelines states, in part, "[t]he Lead Agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives." The California Supreme Court in the Citizens of Goleta Valley case recognized that while an agency's jurisdiction was only one factor to consider, "[t]he law does not require in-depth review of alternatives that cannot be realistically considered and successfully accomplished." In addition, the discussion in section 15364 in the State CEQA Guidelines states that "[t]he lack of legal powers of an agency to use in imposing an alternative or mitigation measure may be as great a limitation as any economic, environmental, social, or technological factor."

Chapter 3 discusses energy conservation, efficiency, and renewable sources of energy, and explains why these potential alternatives were not studied in detail in the EIS/EIR. The range of alternatives studied in detail is reasonable and conforms to NEPA and the CEQA requirements.

P014-6
Sections 1.2, 3.1, 3.2, 3.3.1, 3.3.2, 3.3.3, 4.10, and 4.10.1.3 contain information on the range of alternatives evaluated. Under NEPA and the CEQA, a reasonable range of alternatives must be considered. From a NEPA perspective, while a Federal agency must analyze "a range of reasonable alternatives" (as opposed to any and all possible alternatives), and may be required to analyze

an alternative that is outside the capability of an applicant and that is outside the jurisdiction of the agency, the threshold question in determining whether to analyze any alternative is whether that alternative would be a "reasonable" alternative. Reasonable alternatives include those that are practical and feasible from the technical and economic standpoint and using common sense (CEQ 40 Questions; #2a).

The information must be sufficient to enable reviewers and decision-makers to evaluate and compare alternatives. The State CEQA Guidelines section 15126.6(a) provides, in part, "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project."

The EIS/EIR initially evaluated 18 locations for the FSRU as potential locations for the deepwater port. It built on previous California Coastal Commission studies that evaluated nearly 100 locations. Section 3.3.7 contains information on other locations that were considered.

P014-7
Section 4.2.5 contains information on liability in case of an accident and reimbursement for local agencies. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

P014-8
Section 4.13.1 discusses the proximity of the proposed pipeline routes to residences and schools. Section 4.2.8 contains information on safety requirements for pipelines. The proposed pipelines would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

Section 4.11.1.5 and Impact GEO-5 in Section 4.11.4 contain information on the potential for damage to pipelines and other facilities and mitigation measures to address potential impacts that could occur due to mass movement of soil, including landslides, mudflow, lateral spreading, subsidence, liquefaction, or collapse.

P014-9
Section 4.2.3, the Independent Risk Assessment (Appendix C1), and the U.S. Department of Energy's Sandia National Laboratories' review of the Independent Risk Assessment (Appendix C2) contain information on the 1977 Oxnard study. Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

P014-10
Before licensing any deepwater port, the MARAD Administrator is required under the Deepwater Port Act (DWPA) to evaluate the economics of each project and is also required to make a determination that a licensee is financially responsible for all actions related to the construction, operation, and removal of the deepwater port. This assessment includes a determination that sufficient resources are available to respond and compensate any party who may be affected or damaged by the deepwater port. The detailed risk assessment completed by the USCG and MARAD for the proposed Cabrillo Port Project shows that, as the location is 12.01 NM (13.83 miles or 22.25 km)from the coast, no potential affect or damage will occur, even from a catastrophic release, to onshore properties or persons. Therefore, additional assessment of impacts on potential property values is not warranted.

Regarding homeowners' insurance costs, since the detailed risk assessment does not show potential onshore impacts, there would be no justification for increased property insurance rates. In addition, the DWPA allows the Governor of California to withhold his required approval if the Project is inconsistent with environmental or land use concerns or the Coastal Zone Management Act and to recommend conditions that would make the Project consistent with those State requirements. With these safeguards in place, it is unlikely that any danger to the onshore residents or their homes would occur; therefore, no additional investigation of this issue is required.

Section 4.16 contains information on the economic effects of the proposed Project, including property values and insurance. Section 4.2.5 contains information on financial responsibilities in the event of an accident. Pricing of natural gas is not considered as an environmental issue in this document but is addressed via rate cases before the California Public Utilities Commission.

Both NEPA and CEQA require a comprehensive and objective review of the potential environmental impacts that may occur as a consequence of a proposed project. The economic cost benefit of a project is not an environmental issue under CEQA.

The EIS/EIR contains substantial mitigation to avoid or reduce potential significant impacts to a level below significance criteria.

The EIS/EIR identifies and assigns significance to all levels of impacts as required by NEPA. The EIS/EIR also identifies unavoidable significant (Class I) impacts. The Administrator of MARAD under the authority of the Deepwater Port Act, the California State Lands Commission, and the Governor of California have to balance the benefits of the Project against its unavoidable environmental risks. In accordance with section 15093 of the State CEQA Guidelines, the CSLC would have to make a Statement of Overriding Considerations addressing Class I impacts prior to approval of the proposed pipeline lease application.

P014-11
Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

P014-11 Continued

P014-11
Continued

and we will have little peace of mind if this project goes forward.

Thank you for the opportunity to raise my concerns.

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