

INDEX TO NOP COMMENTS

Appendix C includes a copy of the Notice of Preparation (NOP) for the Becker and Legacy Wells Abandonment and Remediation Project (Project), transcripts from the Public Scoping Hearings conducted on the NOP, copies of all comment letters received on the NOP during the public comment period, and an indication (Section or sub-Section) where each individual comment is addressed in the Draft Environmental Impact Report (EIR). **Table C-1** lists all comments and shows the comment set identification number for each letter or commenter. **Table C-2** identifies the location where each individual comment is addressed in the Draft EIR.

Table C-1. NOP Commenters and Comment Set Numbers

| Agency/Affiliation/Individual | Name of Commenter | Date of Comment | NOP Comment Set(s) |
|-------------------------------------|----------------------------|-----------------|--------------------|
| Air Pollution Control District | Krista Nightingale | 11/7/16 | 1 |
| California Coastal Commission | Joseph Street | 11/7/16 | 2 |
| Native American Heritage Commission | Gayle Totton, M.A., PhD | 10/10/16 | 3 |
| Individual | Frances P. Davis | 10/16/16 | 4 |
| Individual | Kathleen Pappo | 10/9/16 | 5 |
| Individual | Andy Neumann | 11/3/16 | 6 |
| NOP Scoping Meeting | Suzy Cawthon | 10/20/16 | 7 |
| NOP Scoping Meeting | Lee Heller | 10/20/16 | 8 |
| NOP Scoping Meeting | Senator Hanna Beth Jackson | 10/20/16 | 9 |
| NOP Scoping Meeting | Jay Parker | 10/20/16 | 10 |
| NOP Scoping Meeting | Eric Friedman | 10/20/16 | 11 |
| NOP Scoping Meeting | Hillary Blackerby | 10/20/16 | 12 |
| NOP Scoping Meeting | Andy Neumann | 10/20/16 | 13 |
| NOP Scoping Meeting | Suzanne Perkins | 10/20/16 | 14 |
| NOP Scoping Meeting | Sharon Burrel | 10/20/16 | 15 |
| NOP Scoping Meeting | Hillary Hauser | 10/20/16 | 16 |
| NOP Scoping Meeting | Gilbert Crabbe | 10/20/16 | 17 |
| NOP Scoping Meeting | Michelle Pasini | 10/20/16 | 18 |

Table C-2. Responses to the NOP Comments

| Comment # | Responses |
|---|--|
| Air Pollution Control District (11/7/16) | |
| 1-1 | The Project Draft EIR addresses air quality impacts in Section 4.3, <i>Air Quality</i> . Air quality impacts associated with construction activities, including APCD-recommended mitigation measures for fugitive dust and equipment exhaust emissions, are discussed in this section. The Mitigation Monitoring Program is discussed in Section 7, <i>Mitigation Monitoring Program</i> . |

| California Coastal Commission (11/7/16) | |
|---|--|
| 2-1 | Project requirements responsible, coordinating, and consultation agencies/entities, including the CCC, are discussed in Section 1, <i>Introduction</i> . |
| 2-2 | The scope of the Draft EIR is discussed in Sections 1 and 2. |
| 2-3 | Project risk for exacerbating rates of hydrocarbon leakage from the Becker well or for triggering a larger oil spill that could have more serious impacts on marine resources are topics discussed in Section 4.1, <i>Hazardous Materials and Risk of Upset</i> . |
| Native American Heritage Commission (10/10/16) | |
| 3-1 | Tribal issues are addressed in Section 4.6, <i>Cultural Resources - Tribal</i> . |
| Frances P. Davis (10/16/16) | |
| 4-1 | This general comment describes the commenter's personal experience with oiling on Summerland Beach and shows support for the work schedule as outlined in the Draft EIR. |
| Kathleen Pappo (10/9/16) | |
| 5-1 | This general comment is a statement of opposition to the Project. |
| Andy Neumann (11/3/16) | |
| 6-1 | This comment discusses raising funds for the Project and is outside the scope of this EIR. |
| NOP Scoping Meeting – Suzy Cawthon (10/20/16) | |
| 7-1 | This comment requests that the Project be conducted expeditiously. |
| 7-2 | This comment discusses Project funding, which is outside the scope of the EIR. Project staging is discussed in Section 2, <i>Project Description</i> , and Project alternatives are discussed in Section 5, <i>Project Alternatives</i> . |
| NOP Scoping Meeting – Lee Heller (10/20/16) | |
| 8-1 | This comment asks if a mitigated negative declaration could be prepared rather than an EIR to speed up the environmental review process. Because significant and unavoidable impacts could result from the Project, the California State Lands Commission (CSLC) prepared an EIR. |
| 8-2 | Baseline conditions, including oiling at Summerland Beach, are discussed in Section 2, <i>Project Description</i> . |
| 8-3 | The schedule for Project implementation once the EIR has been completed is not known due to funding issues. |
| 8-4 | This comment discusses Project funding and is outside the scope of the EIR. |
| 8-5 | Project limitations based on tides and weather are discussed in Section 2, <i>Project Description</i> . |
| 8-6 | The typical process for the CSLC to approve a project certification of an EIR and approval of a project on the same day, and a project timeline proceeds from there. |
| 8-7 | This comment discusses the community's involvement in addressing the leaking wells in the Project area. Community involvement is conducted as part of the CEQA process. |
| NOP Scoping Meeting – Sen. Hanna Beth Jackson (10/20/16) | |
| 9-1 | This general comment discusses vetoed legislation and states support for the CSLC's efforts to abandon and remediate wells in the Santa Barbara Channel and in the County. |
| NOP Scoping Meeting – Jay Parker (10/20/16) | |
| 10-1 | This general comment shows support for the Project and requests that the word "natural" be removed from the phrase "natural seeps" and that the word "regularity" be replaced with the word "dramatic" in the phrase "recent anecdotal evidence indicates that leaks in and around the Becker well have increased in regularity." See section 1, <i>Introduction</i> . |

| NOP Scoping Meeting – Eric Friedman (10/20/16) | |
|---|---|
| 11-1 | This comment asks if a mitigated negative declaration could be prepared rather than an EIR to speed up the environmental review process. Because significant and unavoidable impacts could result from the Project, the California State Lands Commission (CSLC) prepared an EIR. This comment also shows support for the Project and requests that the Project be conducted expeditiously. |
| NOP Scoping Meeting – Hillary Blackerby (10/20/16) | |
| 12-1 | This comment asks if a mitigated negative declaration could be prepared rather than an EIR to speed up the environmental review process. Because significant and unavoidable impacts could result from the Project, the California State Lands Commission (CSLC) prepared an EIR. This comment also shows support for the Project and requests that the Project be conducted expeditiously. See Section 1, <i>Introduction</i> , for a discussion of seeps and historical surveys. |
| NOP Scoping Meeting – Andy Neumann (10/20/16) | |
| 13-1 | This comment shows support for the Project and requests that the Project be conducted expeditiously. This comment asks if a mitigated negative declaration could be prepared rather than an EIR to speed up the environmental review process. Because significant and unavoidable impacts could result from the Project, the California State Lands Commission (CSLC) prepared an EIR. This comment discusses an oil remediation Superfund, which is outside the scope of this EIR. |
| 13-2 | Because significant and unavoidable impacts could result from the Project, the California State Lands Commission (CSLC) prepared an EIR. See Section 1, <i>Introduction</i> , for a discussion of seeps and historical surveys. |
| NOP Scoping Meeting – Suzanne Perkins (10/20/16) | |
| 14-1 | This comment shows support for the Project and requests that the Project be conducted expeditiously. Odors are discussed in Section 4.3, <i>Air Quality</i> . |
| NOP Scoping Meeting – Sharon Burrell (10/20/16) | |
| 15-1 | This comment shows support for the Project and requests that the Project be conducted expeditiously. Odors are discussed in Section 4.3, <i>Air Quality</i> . |
| NOP Scoping Meeting – Hillary Hauser (10/20/16) | |
| 16-1 | This comment discusses Project funding and is outside the scope of the EIR. |
| 16-2 | This comment discusses Project funding and is outside the scope of the EIR. |
| 16-3 | This comment discusses the community's involvement in addressing the leaking wells in the Project area. See Section 1, <i>Introduction</i> , for a discussion of seeps and historical surveys. |
| NOP Scoping Meeting – Gilbert Crabbe (10/20/16) | |
| 17-1 | See Section 1, <i>Introduction</i> , for a discussion of seeps and historical surveys. This comment discusses the degradation of marine water to present day. Marine waters are discussed in Section 4.9, <i>Hydrology and Water Quality</i> . |
| 17-2 | Currents are discussed in Section 4.9, <i>Hydrology and Water Quality</i> . |
| NOP Scoping Meeting – Michelle Pasini (10/20/16) | |
| 18-1 | This comment discusses Project funding and is outside the scope of the EIR. |

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NOP Comment Letters



Santa Barbara County Air Pollution Control District

Our Vision  Clean Air

November 7, 2016

Eric Gillies
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

**Re: APCD Response to Notice of Preparation of a Draft Environmental Impact Report for the
Becker Well Abandonment and Remediation Project**

Dear Mr. Gillies:

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Becker Well Abandonment and Remediation Project. The California State Lands Commission proposes to properly abandon and seal the Becker onshore well at Summerland Beach which is known to leak oil. This project proposes to use a jack-up barge to bring in the equipment needed to abandon the well. The barge will make multiple round-trips to and from Long Beach to bring in necessary equipment and construct the cofferdam. First a double-walled cofferdam will be constructed in the surf zone around the well to isolate it from the ocean tides and provide access to the well. The well abandonment consists of positioning the barge, installing the riser and blowout preventer equipment (BOPE), cleaning the inside casing for two cementing operations to plug the well, removing the BOPE and riser, welding the plate on top of casing stub, and then demobilizing the barge for the trips back down to Long Beach. Lastly, the cofferdam will be deconstructed.

APCD staff reviewed the Initial Study and NOP of a Draft EIR, and concurs that air quality impacts should be addressed in the EIR. APCD's guidance document, entitled *Scope and Content of Air Quality Sections in Environmental Documents* (updated April, 2015), is available online at www.ourair.org/apcd/land-use/. This document should be referenced for general guidance in assessing air quality impacts in the Draft EIR. The EIR should evaluate the following potential impacts related to the Becker Well Abandonment and Remediation Project:

1. Construction Impacts. The EIR should include a description and quantification of potential air quality impacts associated with construction activities for the proposed project. APCD's April, 2015 *Scope and Content* document, Section 6, presents recommended mitigation measures for fugitive dust and equipment exhaust emissions associated with construction projects. Construction mitigation measures should be enforced as conditions of approval for the project. The EIR should include a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigation and establishes a mechanism for enforcement.

Please be aware that portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to permit issuance/initiation of the project. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

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Becker and Legacy Wells Abandonment and
Remediation Project Final EIR

NOP of Draft EIR for the Becker Well Abandonment and Remediation Project

November 7, 2016

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2. Odor Impacts. The EIR should examine the potential for nuisance odors during the project and should include mitigation measures the address these potential odors. Additionally, if it is decided that the project will utilize drilling mud please consider using a degasser to minimize emissions.

3. Marine Vessel Emissions. The EIR should include emissions calculations for all marine vessel engines (propulsion engines, auxiliary engines and permanently affixed support engines) associated with the project in order to make a permit determination. Per APCD Rule 202 (F. 8.): Marine vessel engines associated with construction, maintenance, repair and/or demolition activities at a stationary source can qualify for a permit exemption provided the duration of the activities do not exceed 12 consecutive months and the potential to emit of such engines per stationary source is less than 10 tons per stationary source of oxides of nitrogen, oxides of sulfur, reactive organic compounds or particulate matter.

1-1
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We hope you find our comments useful. We look forward to reviewing the Draft EIR. Please contact me at (805) 961-8893 or by e-mail at NightingaleK@sbcapcd.org if you have questions.

Sincerely,



Krista Nightingale,
Air Quality Specialist
Technology and Environmental Assessment Division

cc: TEA Chron File



November 7, 2016

Eric Gilles, Assistant Chief
Division of Environmental Planning & Management
California State Lands Commission
100 Howe Ave., Suite 100-South
Sacramento, CA 95825-8202

RE: **Becker Well NOP Comments**

Dear Mr. Gilles,

Coastal Commission staff appreciates the opportunity to review the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the proposed Becker Well Abandonment and Remediation Project (Project). Staff strongly supports the project objective of properly abandoning and sealing this well, and looks forward to working with State Lands Commission staff to bring the project to fruition. Portions of the proposed project below the mean high tide line fall within the original jurisdiction of the Coastal Commission, and will require a coastal development permit (CDP). Onshore project activities occurring within the Local Coastal Program (LCP) jurisdiction of the City of Carpinteria may require further CDP authorization from the City.¹

2-1

As a general matter, the scope of the EIR as described in the NOP appears to be appropriate and necessary given the location of the project in and adjacent to marine habitats and a popular beach recreation area. The Draft EIR should carefully evaluate the potential for adverse effects to sensitive marine habitats (e.g., hard substrates, kelp forests, surfgrass, seagrass) and species (e.g. marine mammals), coastal water quality, and public access and recreation at Summerland Beach. In particular, the EIR should assess whether project-related traffic, closures of Lookout Park, and the use of parking areas for project staging and equipment would substantially interfere with public access to and recreational use of the beach and shoreline. To the extent feasible, the project should be scheduled to avoid peak recreational periods, including the summer, weekends, and holidays, and should incorporate mitigation measures, such as the provision of alternate parking areas and access routes, to maximize beach and shoreline access during project activities.

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Additionally, the NOP did not specifically address whether the proposed well remediation activities carry any risk of exacerbating rates of hydrocarbon leakage from the Becker Well, or of

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¹ For projects falling within both CCC and LCP jurisdictions, Coastal Act Section 30601.3 allows for consolidated CDP review if requested by the local government.

triggering a larger oil spill that could have more serious impacts on marine resources. If these are credible concerns, the Draft EIR should evaluate the risk of accidental hydrocarbon leaks and spills and describe prevention and response measures that would be implemented to minimize the potential for adverse impacts.

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Please contact me at 415-904-5249 or joseph.street@coastal.ca.gov if you have questions.

Sincerely,



Joseph Street
Environmental Scientist
Energy, Ocean Resources & Federal Consistency Unit

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

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October 10, 2016

Eric Gillies, Assistant Chief
 California State Lands Commission
 100 Howe Avenue, Suite 100- South
 Sacramento, CA 95825-8202

sent via e-mail:
Eric.Gillies@slc.ca.gov
CEQA.comments@slc.ca.gov

RE: SCH# 2016101008; Becker Well Abandonment and Remediation Project, Notice of Preparation for Draft Environmental Impact Report, Santa Barbara County, California

Dear Mr. Gillies:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.

3-1
cont

- II. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)). *This process should be documented in the Cultural Resources section of your environmental document.*

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The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

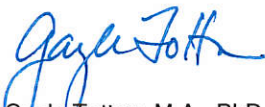
To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

3-1
cont

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

Sun 10/16/2016 12:31 PM

Fran Davis francespdavis@gmail.com

Becker well NOP comments

Comments, CEQA@SLC CEQA.Comments@slc.ca.gov

Re: Notice of draft EIR impact report

I have lived in Summerland for 45 years and have used the Summerland beach regularly (several times a week). In the past we have observed occasional oil sheen on the sand and in the waves, but the last two years have seen a marked degradation of the beach and water. Sludgy oil marks the surf line the entire length of the beach. Seaweed is rank with a coating of oil and the air often smells like a refinery. I have submitted seep reports, with photos, to your office over a period of several months.

At one point this last year the beach was closed by the Santa Barbara Health Dept. because it was a public health hazard. It remains a hazard. I no longer visit the beach because there is no time when the sand is not fowled by oil.

It is a disgrace that this beautiful mile-long beach, accessed by a nice county park, is no longer usable as a recreational source. The work schedule, as outlined in State Lands' draft EIR, seems both reasonable and necessary.

Frances P. Davis
P.O. Box 304
Summerland, CA 93067

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Fran

4-1

Sun 10/9/2016 2:29 PM
Kathleen Pappo <kathypappo@aol.com>
SCH No. 2016101008, CSLC EIR No 792; W30214
Comments, CEQA@SLC CEQA.Comments@slc.ca.gov

Dear Eric Gillies:

I am opposed to the Becker Well Abandonment and Remediation Project.

5-1

Kathleen Pappo
Barbareno/Ventureno Band of Mission Indians

From: Andy Neumann <andyneumann12@gmail.com>

Subject: Summerland Oil

Date: November 3, 2016 at 4:45:20 PM PDT

To: Andy Neumann <andyneumann12@gmail.com>, Bendy & Kathy White <harwood@harwoodwhite.com>, Kevin and Jan Ochs <jankevinochs@msn.com>, Brian Fuller <bfuller@franzconst.com>, Yvonne Neumann <yvoneu@aol.com>, "Dr. Brad Allen" <Allen.Brad@yahoo.com>, Hillary Houser <hillaryh@cox.net>, Hillary Hauser <hillaryh@bigplanet.com>, Marian & Ted Craver <4bigmom@gmail.com>, Jeremy Tittle <jtittle@sbcbos1.org>, Rod and Sharon Berle <sberle@cox.net>, Lee Heller <lee@leeheller.net>, Eric Friedman <efriedman@sbcbos1.org>, Eric Gillies <CEQA.comments@sic.ca.gov>

Dear Steve, Seth and Eric,
California State Lands Commission

First of all, thank you for all of your ongoing efforts to help fix the oil pollution problem in Summerland. After the hearing at the Carpinteria City Hall on October 20, 2016, I felt much better that there is continuity over the years and that Summerland's Community interests are being pursued. I also appreciated your explanation of "natural seepage". It is over the natural seepage that the first piers were built to access the oil, plus divers have verified that some of the current seepage is in fact coming out of the rock formations and not the abandoned wells.

During the hearing it was discussed that there is approximately a \$700,000 shortfall to accomplish this first phase of the oil well capping project. After the meeting we spoke in the hallway and we discussed that there is a NRDA Fund (Natural Resource Damage Assessment) Committee in Sacramento that is instrumental in obtaining funding for such projects. We also speculated that Plains All American Pipeline Company might be looking for projects such as ours to help fund as part of their fine for the Refugio Oil Spill. What is the next step? Who best to contact the NRDA and Plains? A name Sarah Mangato (sp?) in Sacramento was mentioned. I have copied a group of people above. I am not sure the e-mail address for Hannah Beth Jackson and Das Williams are correct or who in their office should be contacted. Please send me e-mail addresses of others that might help in this fundraising effort.

6-1

Thanks,

Andy
805 969-3912

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| <p style="text-align: center;">BEFORE THE CALIFORNIA STATE LANDS COMMISSION ERIC GILLIES, ASSISTANT CHIEF ENVIRONMENTAL PLANNING AND MANAGEMENT</p> <p>In the Matter of the:)) BECKER WELL ABANDONMENT) AND REMEDIATION PROJECT)) Scoping Meeting) For the preparation of the) Environmental Impact Report) _____)</p> <p style="text-align: center;">TRANSCRIPT OF PROCEEDINGS Carpinteria, California Thursday, October 20, 2016</p> <p>Reported by: JOANNA HAMMOCK Hearing Reporter</p> <p>Job No.: 12255MSA</p> <p style="text-align: right;">1</p> | <p>1 APPEARANCES: 2 For the PROponent: ERIC GILLIES 3 ASSISTANT CHIEF 4 STATE OF CALIFORNIA 5 STATE LANDS COMMISSION 6 100 Howe Avenue 7 Suite 100-South 8 Sacramento, California 9 95825 10 11 SETH E. BLACKMON 12 STAFF ATTORNEY 13 STATE OF CALIFORNIA 14 STATE LANDS COMMISSION 15 100 Howe Avenue 16 Suite 100-South 17 Sacramento, California 18 95825 19 STEVEN M. CURRAN 20 SENIOR DRILLING ENGINEER 21 STATE OF CALIFORNIA 22 STATE LANDS COMMISSION 23 200 Oceangate 24 12th Floor 25 Long Beach, California 90802</p> <p style="text-align: right;">3</p> |
| <p>1 BEFORE THE CALIFORNIA STATE LANDS COMMISSION 2 ERIC GILLIES, ASSISTANT CHIEF 3 ENVIRONMENTAL PLANNING AND MANAGEMENT 4 5 6 In the Matter of the:)) 7 BECKER WELL ABANDONMENT) AND REMEDIATION PROJECT) 8) 9 Scoping Meeting) For the preparation of the) Environmental Impact Report) 10 _____) 11 12 13 14 15 16 TRANSCRIPT OF PROCEEDINGS, taken at 17 5775 Carpinteria Avenue, Carpinteria, 18 California, commencing at 2:00 p.m. 19 on Thursday, October 20, 2016, heard before 20 ERIC GILLIES, Assistant Chief, reported by 21 JOANNA HAMMOCK, Hearing Reporter. 22 23 24 25</p> <p style="text-align: right;">2</p> | <p>1 APPEARANCES: 2 Also Present: Members of the Public 3 including: 4 5 HILLARY BLACKERBY 6 SHARON BURREL 7 SUZY CAWTHON 8 GILBERT CRABBE 9 ERIC FRIEDMAN 10 HILLARY HAUSER 11 LEE HELLER 12 SENATOR HANNA-BETH JACKSON 13 ALLISON MAGINOT 14 ANDY NEUMANN 15 JAY PARKER 16 MICHELLE PASINI 17 SUZANNE PERKINS 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">4</p> |

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| <p>1 Carpinteria, California, Thursday, October 20, 2016 2 2:00 p.m.</p> <p>3</p> <p>4</p> <p>5 MR. GILLIES: Welcome to the scoping meeting for the 6 preparation of the EIR for the Becker Well Abandonment and 7 Remediation Project.</p> <p>8 If you haven't done so, the sign-in sheets are when 9 you come in. And if you would like to speak, there's speaker 10 cards, and turn those in. And then if you don't wish to 11 speak, you could write comments on the back. There's room 12 for comments that you can turn those in.</p> <p>13 I'm Eric Gillies. I'm Assistant Chief of 14 Environmental Planning and Management division, the State 15 Lands Commission.</p> <p>16 The California State Lands Commission is the lead 17 agency under the California Environmental Quality Act, or 18 CEQA, for this Project, and we are acting as the Project 19 proponent. The Notice of Preparation that we publish earlier 20 this month for thirty days came out, and copies are available 21 at the desk where the sign-in sheets.</p> <p>22 I was hoping Steve Curran would be here. He's our 23 engineer.</p> <p>24 MR. BLACKMON: He was parking -- be here shortly.</p> <p>25 MR. GILLIES: He'll be in here shortly. So if there's</p> <p style="text-align: right;">5</p> | <p>1 This slide shows evidence of the well back in 2014.</p> <p>2 And then, also, we did a Phase 1 assessment of the well, 3 excavation, October of 2015, where we did some measurements 4 on the well and put an anchor adjacent to the well so we 5 could easily find it for the next phase, which will be the 6 abandonment phase, which we'll be doing the EIR on.</p> <p>7 The Project is -- the access to the well is probably 8 the biggest issue for this Project. We are proposing to use 9 the jack-up barge, as you see in the picture, to access the 10 well, build a cofferdam to isolate the -- the well from the 11 tides.</p> <p>12 And then it'll be a -- probably couple trips to 13 build the cofferdam, and then come back, and then abandon the 14 well. It's estimated to be about a three-day job to do the 15 abandonment.</p> <p>16 So CEQA process, it applies to projects that require 17 discretionary action from a state or local agency, us being 18 the State of Cali- -- State Lands Commission. And 19 preparation of an EIR is required when evidence has indicated 20 that proposed project would have a significant impact on the 21 environment.</p> <p>22 Basically, here's a flowchart of the CEQA process. 23 We published the NOP in October, and we're currently in the 24 public-scoping phase, which is today.</p> <p>25 And then after this, we'll take -- end of the</p> <p style="text-align: right;">7</p> |
| <p>1 any technical engineering issues you'd like to have questions 2 on, he's the expert on Summerland.</p> <p>3 And then I have Kennedy Court Reporting here, and 4 she'll be transcribing the meeting so we make sure we 5 document everything's discussed today.</p> <p>6 So we'll over go to the meeting agenda, 7 introductions, purpose of the meeting, brief description of 8 the Project, the CEQA EIR process, and where we are, and 9 where we'll go. And then we'll open it to public comments.</p> <p>10 So as I mentioned, State Lands Commission is the 11 Project proponent and the CEQA lead agency. The purpose of 12 this meeting is, basically, to take public comments on the 13 content as we -- and the -- as we prepare the EIR by the 14 staff of State Lands.</p> <p>15 I'll give a little background. Background is the 16 Summerland Field -- Oil Field -- is an onshore and offshore 17 oil field that was produced in the late 1800s to 1900s.</p> <p>18 This slide shows, basically, the outline and the 19 historic piers that were there in the turn of the Century -- 20 the 1900s.</p> <p>21 This is a rough diagram of a couple historic piers. 22 I was just advised where the Tread- -- Treadwell Pier is. 23 It's probably further to the east than that location. But it 24 just provides approximate location of the historic piers, and 25 where Becker Well is located.</p> <p style="text-align: right;">6</p> | <p>1 comment period, I believe, is November 7th -- and after that, 2 we'll prepare the EIR, do another public-review period, and 3 come down for another public meeting to take on comments on 4 the EIR.</p> <p>5 So the impact analysis -- that would cover -- be 6 covering the EIR -- be based on changes on the environment 7 compared to existing conditions, requires the focus on 8 significant -- potentially significant -- impacts, measures 9 to reduce and avoid significant impacts.</p> <p>10 Socioeconomic impacts are not considered significant 11 under -- under CEQA. And alternatives are generally 12 evaluated in less detail than the proposed project.</p> <p>13 The NOP covers a lot of potentially significant 14 effects for this Project. The EIR will focus on aesthetics, 15 air quality, biological resources -- both marine and 16 terrestrial -- hazardous materials such as oil spills during 17 operations, geology, greenhouse gasses, water quality, and 18 recreation, since access will be going through Lookout Park.</p> <p>19 And then alternatives. We'll be looking at several 20 alternatives that meet the Project objectives. They must be 21 feasible and capable of reducing one or more significant 22 impacts to the Project. And then we'll include a 23 "no project" alternative, as required under CEQA.</p> <p>24 A couple of alternatives that we would be 25 considering is -- the current proposed Project is accessing</p> <p style="text-align: right;">8</p> |

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| <p>1 the well from off shore. There are a few alternatives that 2 would propose building a pier or platform from onshore. And 3 those -- those alternatives would be a longer process. But 4 we'll evaluate those in the EIR.</p> <p>5 And with that, we'll go ahead and open it to public 6 comments. Basically, helpful comments would be range of 7 actions, if there are any other alternatives, mitigation 8 measures, and significant effects that we should be analyzing 9 in the EIR.</p> <p>10 So with that, I have probably half a dozen speakers. 11 Okay. Got Senator Hannah-Beth Jackson.</p> <p>12 MS. MAGINOT: She's en route.</p> <p>13 MR. GILLIES: Oh. Okay.</p> <p>14 Suzy --</p> <p>15 MS. CAWTHON: Cawthon.</p> <p>16 MR. GILLIES: "Cawthon"?</p> <p>17 MS. CAWTHON: Uh-huh.</p> <p>18 MR. GILLIES: If you could just come up here.</p> <p>19 MS. CAWTHON: Oh. Sure.</p> <p>20 MR. GILLIES: And state your name and affiliation.</p> <p>21 MS. CAWTHON: Hi. My name is Suzy Cawthon, and I'm 22 representing the Summerland Citizens Association, which not 23 only represents citizens of Summerland, but also the business 24 community.</p> <p>25 And we think it's just imperative that this move</p> <p style="text-align: right;">9</p> | <p>1 they're technical questions. Or --</p> <p>2 MS. HELLER: Yeah, I think -- I think this room will 3 probably be interested to know specifically what's involved 4 in the proposed Project, rather than that sort of vague 5 description of the barge, why you chose that rather than 6 building the temporary pier.</p> <p>7 The NOP does describe the proposed length of the 8 Project, that it's 3 to 4 weeks to do the construction, and 9 you mentioned 3 to 4 days for the actual reabandonment.</p> <p>10 MR. GILLIES: Right.</p> <p>11 MS. HELLER: I think a little bit more detail would be 12 helpful to this community. I think, also, knowing what the 13 timeline is for completing the EIR and then doing the actual 14 Project and reabandonment.</p> <p>15 I'm personally puzzled as to why you're not doing a 16 mitigated "neg dec" and would like to hear why the decision 17 was -- because this Project addresses an environmental hazard 18 and is temporary, I'm puzzled why there's a need to do any 19 EIR.</p> <p>20 I understand, originally, there was the need to do a 21 programmatic EIR, but when Senator Jackson's wonderful 22 legislation -- and she's arrived -- was vetoed, obviously, 23 the -- the appropriateness of the programmatic EIR was no 24 longer the case.</p> <p>25 MR. GILLIES: Uh-huh.</p> <p style="text-align: right;">11</p> |
| <p>1 along as swiftly as you possibly can. As you're aware, our 2 citizens are not able to use the beach for recreation. If 3 you try to walk, your feet are black when you come back. 4 That's almost shut down our beach, and it hurts our 5 businesses as well.</p> <p>6 So our entire community want to see this handled as 7 expeditiously as you possibly can. We've waited, and 8 screamed, and cried a long time to get this addressed. And 9 we really want to see it moved along.</p> <p>10 MR. GILLIES: Okay. Great.</p> <p>11 MS. CAWTHON: Thank you.</p> <p>12 MR. GILLIES: Thank you.</p> <p>13 Lee Heller?</p> <p>14 MS. HELLER: Good afternoon. My name is Lee Heller. I'm 15 a homeowner and have been a resident of Summerland for nearly 16 14 years. And I've been the lead nag on this issue for at 17 least three of the past years.</p> <p>18 And I have some specific questions. I don't know if 19 you're responding to questions today, or just taking comment. 20 And the brevity of the presentation leaves a lot of 21 information unexpressed.</p> <p>22 I don't know if Steve wants to get up at some point 23 and go into more detail.</p> <p>24 Or Eric, if they're going to do it.</p> <p>25 MR. GILLIES: We can have answer some questions. If</p> <p style="text-align: right;">10</p> | <p>1 MS. HELLER: So is it too late to consider a mitigated 2 "neg dec?" Would it speed things up?</p> <p>3 And I -- I think I'm a little concerned about some 4 language in this document that underplays the significance of 5 the amount of oil that we are seeing on a regular basis and 6 its impact on the community. There's some references to 7 natural seeps.</p> <p>8 But I think this community is really clear that a 9 lot of the oil we're seeing is a function of changes that 10 happened in 2013 that we presume are not natural in nature, 11 and that because of what was visualized at the site on 12 multiple occasions, that it be clearer in the documentation 13 that this is an artificially created problem.</p> <p>14 So thank you.</p> <p>15 MR. GILLIES: Okay. Thank you.</p> <p>16 Go ahead, Hannah-Beth Jackson.</p> <p>17 SENATOR JACKSON: Yes. Good afternoon. I am 18 Hannah-Beth Jackson. I'm the state senator that represents 19 this beautiful part of California.</p> <p>20 I just wanted to, first, thank the 21 State Lands Commission for working with me up in Sacramento 22 to craft the legislation that was just mentioned that the 23 Governor unfortunately and disappointing vetoed.</p> <p>24 I think, if I understand the veto message well 25 enough, it's not that the issue isn't important, it's just</p> <p style="text-align: right;">12</p> |

3 (Pages 9 to 12)

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| <p>1 that the Governor did not want to go into the General Fund to 2 try to remediate this problem that was created by 3 irresponsible oil development many years ago, which sadly 4 cannot be remediated at this point in time by those who were 5 responsible at that point for creating the conditions that we 6 are seeing now 50 years, 70 years later.</p> <p>7 My point is that the Becker Well is clearly, I would 8 call, the lowest-hanging but most obvious fruit, in terms of 9 the need to cap this well appropriately and to make sure that 10 we begin a process to try to cap the over 200 -- I'm told 11 there could be as high as 220 -- wells that were not properly 12 capped probably cap, that are orphaned, that are primarily in 13 the Santa Barbara Channel and in the county -- outside the 14 county itself.</p> <p>15 This is really a very serious problem, as was 16 mentioned. It's a health issue. It's an environmental issue.</p> <p>17 Part of the legislation that the Governor vetoed 18 called for a study to determine whether the seepage we're 19 experiencing is, in fact, natural, as is claimed by some, or 20 whether or not that seepage does have a significant element 21 to it as a result of these uncapped wells.</p> <p>22 It's my hope and my understanding that State Lands 23 is going to continue with this well. It's my hope that it 24 does this work with all seriousness. Having someone here 25 today is somewhat gratifying.</p> <p style="text-align: right;">13</p> | <p>1 MR. PARKER: Hi. My name is Jay Parker. And I'm an 2 native Southern Californian. So I'm familiar with the 3 operations of oil companies, just casually. I've been a 4 Santa Barbara resident for 40 years. I witnessed with 1969 5 oil spill, which was one of the most horrible things you 6 could possibly imagine.</p> <p>7 And over the years, I've come to the conclusion that 8 oil companies are not good neighbors. And these wells are an 9 example of -- of something that was done a hundred years ago, 10 and we're still feeling the effects. This is -- this is, 11 really, a terrible situation.</p> <p>12 On Page 1, I think what we have here is a 13 contradiction in terms. It says "due to natural seeps or 14 leaks from these improperly abandoned wells." I -- I think 15 the word "natural seep" should be stricken from that.</p> <p>16 "Recently anecdotal evidence" -- this is also on 17 Page 1. This is bottom of the second photograph -- "recent 18 anecdotal evidence indicates that leaks in and around the 19 Becker Well have increased in regularity." And I think you 20 could substitute the word "regularity" for "dramatic."</p> <p>21 We cannot use this beach. I live on the hill in 22 Summerland half a mile away, and I can often smell oil. And 23 people who come to visit me from out of town smell oil. It's 24 toxic. This is a really serious problem.</p> <p>25 So I would -- I'm glad you're here. I'm thankful</p> <p style="text-align: right;">15</p> |
| <p>1 However, my message is to go back to the State Lands 2 entity itself that we are serious here about this issue, we 3 want it fixed. We have already started. There is public 4 money and, also, the support the community that clearly, I 5 think, has determined our commitment to this -- to capping 6 this well.</p> <p>7 There are times of the year where when you're 8 driving on the freeway, whether you are a person who lives in 9 the area, or someone who is driving through, where the odor 10 is toxic, and noxious, and very clearly discernable to those 11 is their vehicles, particularly when the traffic is forced to 12 stop because we have some issues there as well.</p> <p>13 This is not a made-up problem. This is a serious 14 problem, and it's one I wanted to make sure I came in my 15 capacity as the state senator for this area to express my 16 strong concerns and commitment to remediating this.</p> <p>17 And I will also commit to the people of this 18 community, and to you, that this issue will be one that I 19 will be looking at front and center when it comes to budget 20 time, and when it comes to identifying the sources, and the 21 needs to remediate this and the other wells that are creating 22 both environmental and health probables in our community.</p> <p>23 Thank you.</p> <p>24 MR. GILLIES: Great. Thank you.</p> <p>25 Jay Parker?</p> <p style="text-align: right;">14</p> | <p>1 that this situation is -- is being addressed. But I would -- 2 I would urge you to act on this as soon as possible.</p> <p>3 MR. GILLIES: Okay.</p> <p>4 MR. PARKER: Thank you.</p> <p>5 MR. GILLIES: Thank you.</p> <p>6 Eric Friedman?</p> <p>7 MR. FRIEDMAN: Good afternoon. My name is Eric Friedman, 8 and I'm here representing First District County Supervisor 9 Salud Carbajal.</p> <p>10 Appreciate the -- the opportunity to speak to you at 11 this hearing about the future of this -- of this Project. 12 It's a -- a very critical project on the South Coast in 13 Summerland here.</p> <p>14 We've been contacted for a number of years. 15 Especially when -- when the beach is too polluted, we get 16 calls. And so our office has been working with the 17 community, as you can see here today, Senator Jackson, 18 Assemblymember Williams, and various county agencies to 19 really try to address this problem.</p> <p>20 It's almost been exactly a year ago -- I think it 21 was October of 28th; so almost a year ago -- that the first 22 phase of this went out there to scope what the work would be.</p> <p>23 And so now we're -- we're looking forward to have 24 this done as expeditiously as possible because every day that 25 there's a delay, there's more oil going into the -- into the</p> <p style="text-align: right;">16</p> |

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| <p>1 shore.</p> <p>2 And I think Lee -- Lee Heller brought up the issue</p> <p>3 of why this is a full EIR -- I think that needs to be</p> <p>4 addressed -- instead of a miti- -- a mitigated "neg dec" and</p> <p>5 understanding the full timeframe that you had.</p> <p>6 You had the chart that came out of how, or what the</p> <p>7 next steps are. But there were not timelines.</p> <p>8 MR. GILLIES: I'll -- I'll have another slide after that.</p> <p>9 MR. FRIEDMAN: Okay. So that would be helpful.</p> <p>10 And then -- and then, if you were to have a</p> <p>11 mitigated "neg dec," what the -- the timeframe would be on</p> <p>12 that, if it's possible, to at least see what the difference</p> <p>13 would be so we have that point because that's -- that's</p> <p>14 critical.</p> <p>15 And just to -- as example of -- of how toxic this</p> <p>16 environment is, this County Public Health has, in fact, had</p> <p>17 to -- to close the beach on a couple of occasions within the</p> <p>18 last year. And there's other occasions where the public was</p> <p>19 asking us to close it because it was toxic, but it didn't</p> <p>20 quite meet the criteria, but you still couldn't use the</p> <p>21 beach.</p> <p>22 So anything we can do -- and Supervisor Carbajal</p> <p>23 definitely wants anything that can be done to -- to expedite</p> <p>24 this Project and -- and get this remediated as soon as</p> <p>25 possible. It would be greatly appreciated.</p> <p style="text-align: right;">17</p> | <p>1 appreciate that, those who do go down to the beach.</p> <p>2 I -- I agree that the -- the mention of oil seepage,</p> <p>3 calling in "natural" from the abandoned legacy wells when --</p> <p>4 we do know there are natural seeps out there, but we just</p> <p>5 want to be clear of what's -- as far as we can tell -- what's</p> <p>6 manmade and that that is what we're trying to remediate.</p> <p>7 And then the reference to oil seepage from the area</p> <p>8 becoming visible approximately ten days every year, it would</p> <p>9 be good to know where -- what that day was, you know, how</p> <p>10 that number was arrived at. If -- if it's difficult to peg</p> <p>11 down where exactly the oil's coming from, which is nearly</p> <p>12 constant on the beach, how ten days was figured out that it</p> <p>13 came from that specific well.</p> <p>14 So we're glad it's moving forward. Hopefully the</p> <p>15 EIR process moves forward as fast as possible.</p> <p>16 Again, it would be interesting to find out about why</p> <p>17 not a negative declaration. And --</p> <p>18 But -- but all in all, we look forward to -- to</p> <p>19 getting it done sooner as opposed to later.</p> <p>20 Thanks.</p> <p>21 MR. GILLIES: All right. Thank you.</p> <p>22 Andy Neumann? Is that right?</p> <p>23 MR. NEUMANN: My name is Andy Neumann. I'm a resident in</p> <p>24 Summerland, and we've lived -- we've been fortunate enough to</p> <p>25 live on the bluff, there, for 30 years. And this has been an</p> <p style="text-align: right;">19</p> |
| <p>1 Thank you.</p> <p>2 MR. GILLIES: Okay. Great. Thank you.</p> <p>3 Hillary Blackerby?</p> <p>4 MS. BLACKERBY: Hi, there. I'm Hillary Blackerby from</p> <p>5 Assemblymember Das Williams's office. Appreciate you having</p> <p>6 us here today, and thanks to the folks who are here</p> <p>7 participating.</p> <p>8 We've -- as been alluded to from -- from Eric and</p> <p>9 the Senator -- been engaged in this issue, and the broader</p> <p>10 issue of the beach in Summerland for quite a while now,</p> <p>11 trying to bring together stakeholders to finally, we think,</p> <p>12 you know, hundred years, it's good enough. If the Cubs are</p> <p>13 about to be in the World Series, we might as well --</p> <p>14 SENATOR JACKSON: Don't be bitter.</p> <p>15 MS. BLACKERBY: But -- but we might as well fix</p> <p>16 Summerland, or attempt.</p> <p>17 And -- and, you know, we know that if Becker Well is</p> <p>18 -- is properly abandoned, it's not going to be a perfectly</p> <p>19 clean beach the next day until forever. But it is</p> <p>20 low-hanging fruit, as was mentioned.</p> <p>21 And we really appreciate the -- the -- the work</p> <p>22 that's been done to come up with -- coming at it from the</p> <p>23 barge, from on the water. It's my understanding that that</p> <p>24 would really reduce the time that it will take to get it</p> <p>25 done. So I think that's good, and the community will</p> <p style="text-align: right;">18</p> | <p>1 ongoing project -- problem -- for the whole time.</p> <p>2 Seems like every five years, or so, it gets worse,</p> <p>3 and then it -- and then it gets better. But one thing that's</p> <p>4 really been frustrating is it's like a déjà vu all over</p> <p>5 again.</p> <p>6 And I just want to read from Jack O'Connell, a</p> <p>7 letter I got -- received back in 1992. And one of the things</p> <p>8 I'm concerned about is that the -- the Treadwell Pier is not</p> <p>9 being addressed in this phase. And this is what he said back</p> <p>10 then:</p> <p>11 "The three wells on beach will be abandoned first to</p> <p>12 gain experience and determine the cost of the abandonment of</p> <p>13 the wells. If sufficient money remains after the beach well</p> <p>14 abandonment is completed, work will begin on the offshore</p> <p>15 wells."</p> <p>16 So that was 1992. And we've had, you know, numerous</p> <p>17 efforts to -- to deal with this. And, again, as has been</p> <p>18 mentioned, we really appreciate you taking this on. We</p> <p>19 encourage you to do it faster. If you can figure out how to</p> <p>20 make it a negative "dec," all the better.</p> <p>21 I just looked before I drove here, and the</p> <p>22 Treadwell Pier, there's a slick out in the water half an hour</p> <p>23 ago.</p> <p>24 MR. GILLIES: Huh.</p> <p>25 MR. NEUMANN: And then it seems like when we had the</p> <p style="text-align: right;">20</p> |

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| <p>1 Refugio spill, the disproportion between the response to that 2 and what's been going on in Summerland for so many years. I 3 know there's a lot of reasons for that. But still, it was 4 amazing how much effort, and time, and energy went into that. 5 And it doesn't seem propositional, the attention we're 6 getting, and the funds we're getting. 7 And the -- and I know this is probably not pertinent 8 to the negative "dec," but it was my understanding that a 9 Superfund was created by the oil companies to take care of 10 these matters. And whenever I bring up the Superfund, it 11 like, well, it doesn't apply. 12 And -- and I guess that's a question I have. Why -- 13 I thought that's why it was created to -- to handle these, 14 you know, these kind of lingering oil problems. 15 I'd want to thank Hannah-Beth Jackson for all of her 16 work, and Salud's office, and the State Lands Commission. 17 And hopefully we can successfully fix the problem. 18 MR. GILLIES: Okay. 19 MR. NEUMANN: Thank you. 20 MR. GILLIES: All right. Thank you. 21 Suzanne Perkins? 22 MS. PERKINS: It's a maze trying to get up here. 23 Hi. I'm Suzanne Perkins, and I'm Chairman of the 24 County Parks Commission in Santa Barbara. 25 MR. GILLIES: Uh-huh.</p> <p style="text-align: right;">21</p> | <p>1 MS. BURREL: I -- I do. 2 MR. GILLIES: Okay. 3 MS. BURREL: Can I? 4 MR. GILLIES: Yeah, sure. If you fill out a speaker 5 slip, when you get a chance, or just provide your name. 6 MS. BURREL: Oh, my name is Sharon Burrel (phonetic), and 7 I live in Summerland on the beach. And I'm not a speaker. 8 So this is all going to make me very nervous. 9 But I do live on the beach. 10 MR. GILLIES: Uh-huh. 11 MS. BURREL: Right on the beach. And we can't open our 12 windows. 13 MR. GILLIES: Uh-huh. 14 MS. BURREL: It's so toxic -- the smell. When my family 15 comes, we can't -- we haven't used the beach all summer. 16 This is the first -- I've lived there be for 25 years. This 17 is the first summer not one day could we go down there. 18 And I -- I really just don't understand -- I'm sure 19 other people don't either -- why this is taking so long. 20 MR. GILLIES: Uh-huh. 21 MS. BURREL: When it's not just me. It's my beautiful 22 community. And we can't use our beach. That's it. 23 MR. GILLIES: All right. Thank you. 24 If we don't have any more speakers, I'll go ahead is 25 go over the schedule.</p> <p style="text-align: right;">23</p> |
| <p>1 MS. PERKINS: I've been on the Parks Commission for 2 25 years and lived in Summerland for 36. 3 I hike the beach every day. And it is -- has 4 dramatically deteriorated in the last couple of years on the 5 beach. 6 We're driving away our citizens. We're affecting 7 businesses, and God knows we're affecting property values. 8 Thank -- thank goodness -- thank you, Hannah-Beth Jackson for 9 taking -- spearheading this -- and Salud's office, and 10 Lee Heller for being a bulldog -- been greatly appreciated. 11 But we desperately need something to do. If -- we 12 desperately need to have this taken care of. If other 13 beaches can be -- have the funds from the state to clear 14 items that probably not as significant as this -- 15 I mean, this has gone on probably for a hundred 16 years. And now I've been in Summerland 36 years, and it's 17 been there for 36 years. So it's time that we do something 18 about it. 19 And we live on Lillie Avenue, which is across the 20 freeway. I can smell the oil over there. So it's really 21 deplorable. 22 Thank you. 23 MR. GILLIES: Okay. Thank you. 24 That was our last speaker. I saw a couple people 25 trickle in. Did they want to speak at all? Okay.</p> <p style="text-align: right;">22</p> | <p>1 So the Notice of Preparation, the end of comment 2 period is November 7th. We plan to release the draft EIR. 3 We -- we're in the process of -- we're hiring a consultant to 4 help us prepare are the EIR. And we're looking at releasing 5 it the second quarter of 2017 for a 45-day public review 6 period. And then the Commission take action on the EIR and 7 the Project in the summer of -- or third quarter -- of 2017. 8 With that, the best way to submit comments is to 9 CEQA.comments@slc.ca.gov. If you can put in the subject line 10 "Becker Well NOP Comments," that will help us differentiate 11 from other documents we're -- we have under public review at 12 this point. Or you can mail or fax to this -- our Sacramento 13 office, attention to me, Eric Gillies. 14 So with that -- 15 MS. HELLER: Are we allowed to ask questions for 16 additional information that wasn't covered in the 17 presentation? 18 MR. GILLIES: Sure. 19 MS. HELLER: 'Cause I think everybody in this room would 20 like to know. 21 So you provided the schedule for completion of the 22 EIR, but you haven't provided a schedule for the 23 implementation of the Project. So what's the presumed 24 timeline once the EIR is completed for actually implementing 25 the Project?</p> <p style="text-align: right;">24</p> |

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| <p>1 MR. GILLIES: You want to answer it?</p> <p>2 MR. BLACKMON: Sure.</p> <p>3 It's a fair question, and the answer is we don't</p> <p>4 know. We have, like, partial funding. We don't have full</p> <p>5 funding. And so once the EIR is done, or the -- the CEQA</p> <p>6 treatment, which, just so everyone knows, part of the</p> <p>7 reasoning behind why we're doing an EIR is that because of</p> <p>8 the quality of the existent -- the existing wellbore and the</p> <p>9 -- the casing, there's always a chance for an oil spill above</p> <p>10 and beyond what's already leaking. It would be in greater</p> <p>11 magnitude.</p> <p>12 So we have to address that as a (inaudible) real</p> <p>13 possibility during the abandonment that -- that there could</p> <p>14 be oil in the water. So we have to treat that as a</p> <p>15 significant unavoidable impact because of the impacts it</p> <p>16 would have not just for the existing recreational impacts on</p> <p>17 the beach, but down the coast as well.</p> <p>18 That said, we are targeting, at least internally,</p> <p>19 trying to do this, a very focused EIR, on core issues. A lot</p> <p>20 of the existing setting has been studied throughout</p> <p>21 Carpinteria/Santa Barbara.</p> <p>22 So some of this can go very quickly. We are being</p> <p>23 conservative with the time estimate on completion. It may</p> <p>24 get done much quicker. And, obviously, support and -- and</p> <p>25 feedback from the larger body of -- of Summerland and -- and</p> <p style="text-align: right;">25</p> | <p>1 MS. HELLER: So you're going to submit a BCP -- a budget</p> <p>2 line proposal for the --</p> <p>3 MR. BLACKMON: We'll be -- yeah. We'll be looking for</p> <p>4 options. The problem is -- is that even the pier, the</p> <p>5 difference we're talking about here in total cost is like a</p> <p>6 \$100,000.</p> <p>7 And we're also talking about a -- a timeframe of 10</p> <p>8 to 12 weeks of active impairment of the beach and ongoing use</p> <p>9 versus a period of 4 with -- with the barge.</p> <p>10 MS. HELLER: Right.</p> <p>11 MR. BLACKMON: Which has a higher overall cost. But when</p> <p>12 you consider it in the timeframe and the potential impacts</p> <p>13 associated with that. But for installation and removal, far</p> <p>14 less.</p> <p>15 MS. HELLER: So what is --</p> <p>16 So if there's only a \$100,000 difference between the</p> <p>17 longer project, which would have more short-term impacts, and</p> <p>18 the barge --</p> <p>19 MR. BLACKMON: Right.</p> <p>20 MS. HELLER: What's the estimated cost of the barge</p> <p>21 project, knowing that it's a 100,000 more than the pier?</p> <p>22 MR. BLACKMON: It's in the ballpark, right now, we're</p> <p>23 thinking, of about 1.4 million.</p> <p>24 MS. HELLER: And you've got about 700,000?</p> <p>25 MR. BLACKMON: That's right. That's what's --</p> <p style="text-align: right;">27</p> |
| <p>1 the representatives is always helpful.</p> <p>2 Our office understands what a big deal this is. I</p> <p>3 mean, obviously, Steve and I have been down here. And Steve</p> <p>4 comes frequently to talk with the community.</p> <p>5 So that's -- that's the reality for the EIR. That's</p> <p>6 the reality for the timeline. Once the EIR is certified by</p> <p>7 the -- the State Lands Commission, we're still sort of trying</p> <p>8 to figure out where the money is going to come from. A lot</p> <p>9 of that has to do with --</p> <p>10 I -- I worked on the legislation for SB 900 with</p> <p>11 Hannah-Beth Jackson's office. We were hoping to be able to</p> <p>12 use some of the funding that was in there to supplement and</p> <p>13 be able to move through the -- the remediation's phases.</p> <p>14 So we're back at the drawing board. We're trying to</p> <p>15 see what other options we have.</p> <p>16 MS. HELLER: So my understanding -- and Hillary may be</p> <p>17 able to help with this -- is that, obviously, the -- the</p> <p>18 initial funding for this Project was separate for SB 900.</p> <p>19 So there was a budget line for the EIR, and then, I</p> <p>20 think, another roughly \$700,000 allocated for the rest of</p> <p>21 this Project.</p> <p>22 And from what I understand, the Project you're</p> <p>23 proposing, the barge rather than the pier, is going to cost</p> <p>24 roughly twice that.</p> <p>25 MR. BLACKMON: It is. But --</p> <p style="text-align: right;">26</p> | <p>1 MS. HELLER: In the budget?</p> <p>2 MR. BLACKMON: In the budget.</p> <p>3 MS. HELLER: Okay. So we're not going to ask the</p> <p>4 Governor to double the allocation?</p> <p>5 MR. BLACKMON: We -- yeah. I mean, we -- we're looking</p> <p>6 for additional monies broadly, I mean, much more than just</p> <p>7 even the Becker Well. I mean, I -- we haven't had a chance</p> <p>8 to really sit back down with Senator Jackson's office.</p> <p>9 But, you know, I -- like I said, I was the one</p> <p>10 working on this from the State Lands office. My name is</p> <p>11 Seth Blackmon. And I'm a staff counsel there. And so this</p> <p>12 is a very big deal for us. It's not just for the legacy</p> <p>13 wells but for the coastal hazards program, broadly.</p> <p>14 And just, because I think people had heard and --</p> <p>15 heard something Ms. Perkins about other coastal hazard</p> <p>16 removal program, that was a one-time grant that we got from</p> <p>17 the federal government. And there was actually, in the last</p> <p>18 few years, approximately, \$100,000 left.</p> <p>19 MS. HELLER: Is that the oil spill liability trust fund</p> <p>20 that's mentioned in the --</p> <p>21 MR. BLACKMON: No. Strangely, not. That was actually --</p> <p>22 MS. HELLER: Because I've been told that that money is</p> <p>23 not available for the --</p> <p>24 MR. BLACKMON: Yeah, that's what we've been told too.</p> <p>25 We're trying -- we're trying to figure out. I know. I know.</p> <p style="text-align: right;">28</p> |

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| <p>1 MS. HELLER: Because it was available for similar work --</p> <p>2 MR. BLACKMON: And --</p> <p>3 MS. HELLER: 25 years ago.</p> <p>4 MR. BLACKMON: And so -- so part of the problem with that</p> <p>5 is that we have this Coastal Impact Fund from the feds.</p> <p>6 That's gone. That money's gone. Again, that was part of the</p> <p>7 initial ask for the appropriation in SB 900.</p> <p>8 MS. HELLER: Okay.</p> <p>9 MR. BLACKMON: It made sense to us that it come out of</p> <p>10 the General Fund and/or an appropriation from existing oil</p> <p>11 and gas royalties before it goes to the General Fund.</p> <p>12 But for the -- at the bottom of the ledger, it's</p> <p>13 really the same thing for the government because that -- all</p> <p>14 the royalties that come in from offshore oil and gas from the</p> <p>15 state go directly to the General Fund.</p> <p>16 So we were looking to kind of reappropriate but,</p> <p>17 obviously, weren't successful this round. We're working on</p> <p>18 it.</p> <p>19 MS. HELLER: Okay.</p> <p>20 MR. BLACKMON: We've reached out to DOGGR, the Department</p> <p>21 of -- Division of Oil, Gas, and Geothermal Resources pursuant</p> <p>22 to the Governor's veto message. And we're trying to figure</p> <p>23 out what the next steps look like.</p> <p>24 MS. HELLER: Okay.</p> <p>25 MR. BLACKMON: Honestly, we weren't sure -- and I think</p> <p style="text-align: right;">29</p> | <p>1 able to assess where point sources are coming from.</p> <p>2 MS. HELLER: Uh-huh.</p> <p>3 MR. BLACKMON: Which we're looking at different options</p> <p>4 for aerial photography and surveillance in real-time to try</p> <p>5 and, you know, figure out where these point sources are.</p> <p>6 They need to be dived on. So we need to have dive</p> <p>7 studies to go out --</p> <p>8 MS. HELLER: Uh-huh.</p> <p>9 MR. BLACKMON: -- not only to find where existing wells</p> <p>10 actually are located -- because the historical records on</p> <p>11 DOGGR's Well Finder program are close but not exact. And</p> <p>12 that's kind of hard when you're getting ready to go do work</p> <p>13 -- and, also, because we know what's leaking that we can see.</p> <p>14 But when we're offshore diving and finding out</p> <p>15 whether or not it's coming from an artificial source, like a</p> <p>16 manmade well, or there is a natural seep in close proximity --</p> <p>17 In order to address these issues, and also to keep</p> <p>18 everyone else here informed, that's -- that's part of what</p> <p>19 the money is also looking for.</p> <p>20 MS. HELLER: Right.</p> <p>21 MR. BLACKMON: How do we assess these issues? And then</p> <p>22 how do we prioritize fixing areas where, basically, manmade</p> <p>23 activity's (inaudible) the problem.</p> <p>24 MS. HELLER: And that's where SB 900 who have --</p> <p>25 MR. BLACKMON: That's right.</p> <p style="text-align: right;">31</p> |
| <p>1 Steve could talk more to this, too -- when we were trying to</p> <p>2 do the original budget requests, we were going on sort of</p> <p>3 limited evidence to try and get money out there.</p> <p>4 And, you know, there -- this is not -- just so</p> <p>5 everybody understands, again -- this isn't the first time</p> <p>6 we've tried this. We've actually been actively working on</p> <p>7 this. Steve has been working on this since the '90s.</p> <p>8 So to -- much to our own chagrin, same what you guys</p> <p>9 feel, we have been trying to address this with very little</p> <p>10 success.</p> <p>11 So the BCP that -- that was entered into the budget</p> <p>12 that the Governor approved was a huge deal for us, but,</p> <p>13 obviously, we underestimated the cost of getting the work</p> <p>14 done.</p> <p>15 And we've had some wonderful folks that -- in your</p> <p>16 community, including the representatives from -- from</p> <p>17 Das Williams's office, and from Senator Jackson's office,</p> <p>18 Hillary Hauser with -- with Heal the Ocean.</p> <p>19 And so we're all trying to kind of work here. And</p> <p>20 some of this may end up being, in the interim, to expedite</p> <p>21 the process, kind of a collaborative workgroup where we're</p> <p>22 going to bootstrap some of this. And if we can find</p> <p>23 additional funding, we'll do that.</p> <p>24 Some of the discussion about Treadwell Pier, and</p> <p>25 concerns were brought up -- part of this is kind of us being</p> <p style="text-align: right;">30</p> | <p>1 MS. HELLER: -- funded, had it --</p> <p>2 MR. BLACKMON: So we're -- we're -- like I said, we're</p> <p>3 back to the drawing board. But we have the money earmarked</p> <p>4 for the EIR, or for the CEQA treatment. And, again, this is</p> <p>5 a -- this is a truncated focus.</p> <p>6 You know, let's just say an average EIR, big, big</p> <p>7 picture, if you're starting from scratch, would be half a</p> <p>8 million dollars to a million dollars fairly easily, depending</p> <p>9 on the scope and complexity.</p> <p>10 This is a much more focused project. But because of</p> <p>11 the potential for spill, we want to be very, very</p> <p>12 conservative about how we address those impacts. And if</p> <p>13 you've got a significant unavoidable impact, you simply</p> <p>14 cannot do a mitigated "neg dec." So --</p> <p>15 MR. CURRAN: Isn't --</p> <p>16 MR. BLACKMON: I just want to put that out there.</p> <p>17 MR. CURRAN: Isn't it also because of the new legislation</p> <p>18 of how we handle consultants (inaudible) --</p> <p>19 THE REPORTER: Sir, I'm sorry.</p> <p>20 AUDIENCE MEMBER: Speak up a little.</p> <p>21 THE REPORTER: If you could speak up. I couldn't hear</p> <p>22 you.</p> <p>23</p> <p>24 MR. BLACKMON: He -- he was talking about --</p> <p>25 MR. CURRAN: I'm going to have (inaudible).</p> <p style="text-align: right;">32</p> |

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| <p>1 MR. BLACKMON: So -- so -- he's talking about some 2 contracting issues. I think that's less of an issue for 3 right now. We were committed to kind of moving this forward 4 anyway. 5 What the benefit for everyone to know here is that 6 the new contracting operation that -- that State Lands 7 Commission and other state agencies are working on allows us 8 to move into contracts to move this forward a lot more 9 quickly than it would normally be able to. 10 Instead of having to go out for a long bid process, 11 and then go through a significant round of interviews, and -- 12 and everything else, we were able to truncate that process so 13 that we're -- we actually are working on finalizing our 14 agreements with our preferred contractor now. So this can 15 get started pretty quickly. 16 And then we'll draw on a lot of the work that's been 17 done by State Lands Commission, County of Santa Barbara, and 18 others, for a lot of the background setting. So that 19 shouldn't be -- we -- we're not starting fresh there. Like I 20 said, a lot of this will be expedited. But that's kind of 21 the big picture for it. 22 And, like I said, there -- we are very much back to 23 the drawing board on when we can actually start remediation 24 operations. Because this is not the kind of thing where we 25 can do a phase one, go out there and do a little work, and</p> <p style="text-align: right;">33</p> | <p>1 proposals happen as part of the budget cycle, so we're 2 looking at May or June. 3 MR. BLACKMON: Right. 4 MS. HELLER: Right? Of 2017? 5 MR. BLACKMON: Exactly. Which is how this sort of also 6 ties in -- 7 MS. HELLER: Right. 8 MR. BLACKMON: -- right now. 9 MS. HELLER: Okay. So let's imagine, in a wonderful 10 scenario where that happens, are you limited by tides and 11 weather? Or, let's say the money comes in. Would you be 12 able to move fairly quickly after that? 13 MR. BLACKMON: Fairly quickly. I mean, I think there 14 would be some assessment from the engineering group and the 15 specialist about what would be appropriate, in terms of 16 potential storm events and other things that would be 17 disruptive. 18 But there's nothing that stops us from actually 19 starting the work, mobilizing, getting the final work plans 20 together. And when you actually have infrastructure on the 21 beach doing the work, that's going to be a little bit of a 22 fix. 23 MS. HELLER: Uh-huh. 24 MR. BLACKMON: But, obviously, there -- it's limited just 25 by nature, and limitations on the potential engineering crew,</p> <p style="text-align: right;">35</p> |
| <p>1 then -- 2 MS. HELLER: Right. 3 MR. BLACKMON: -- just leave it until the next budget 4 cycle. 5 MS. HELLER: So imagine a scenario in which we get lucky 6 -- and I think this community will work hard to make this 7 happen -- and are able to find the 1.4 -- the missing 700,000 8 -- 9 MR. BLACKMON: Sure. 10 MS. HELLER: -- we don't have, because you do already 11 have 700,000 allocated. Let's say that's added to the budget 12 change proposal. 13 When can and would you go from EIR to Project? 14 MR. BLACKMON: If that would all happen -- so -- so if we 15 had the money in place -- 16 MS. HELLER: Right. 17 MR. BLACKMON: The traditional way that the State Lands 18 Commission does this is that they will certify the EIR and 19 approve the project same day. 20 So it could be within, you know, a matter of -- of 21 working out with the potential consultant, and -- and 22 ultimate engineering group that's going to be doing the work, 23 what their -- what their window is. But it -- it can be very 24 fast. 25 MS. HELLER: Well, knowing that most budget change</p> <p style="text-align: right;">34</p> | <p>1 and everything else. 2 MS. HELLER: Because with the -- the dig out and more 3 traditional efforts to deal with Becker Well had -- had been 4 limited by these (inaudible) tides. 5 MR. BLACKMON: Yeah. 6 MR. CURRAN: Right. 7 MS. HELLER: And then I -- I gather there was some 8 discussion of even having to wait until 2018 for post-storm. 9 Is that a factor? 10 MR. CURRAN: Yes. 11 MR. BLACKMON: Yes, it's a factor. 12 MS. HELLER: Okay. So could well be -- 13 MR. CURRAN: The best case is early 2018 because you're 14 going to have to wait for high tide. All the -- all the 15 storm stuff that you talk about, excavating on the beach, 16 goes out the window. 17 MS. HELLER: Okay. 18 MR. CURRAN: Because now it's a marine-based operation. 19 So you have to -- 20 MS. HELLER: So you need higher tide rather than lower. 21 MR. CURRAN: Yeah. But -- 22 MS. HELLER: Okay. 23 MR. CURRAN: But the highest tides are during that cycle 24 too. 25 MS. HELLER: Okay.</p> <p style="text-align: right;">36</p> |

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| <p>1 MR. CURRAN: But -- the lowest tides. And the storms. 2 So what happens is you need a bathymetry survey -- 3 MS. HELLER: Okay. 4 MR. CURRAN: -- to make sure things haven't changed too 5 much since the last one, which was 1994, so they have the 6 clearance for the barge. 7 And then you have to engineer it so that you come in 8 at the highest tide during that season, which would be early 9 spring. 10 MS. HELLER: Of 2018? 11 MR. CURRAN: 2018. 12 MR. BLACKMON: And this will all be elaborated on in the 13 EIR. So, you know, as we're get into this, and we're digging 14 into the details, this is what we fleshed out for everyone to 15 kind of look at. 16 And I think it's open question. So, you know, the 17 more data we have, and the more, sort of, cooperation the 18 better. I mean, this really becomes that collaborative 19 effort. So -- 20 MS. HELLER: But you can hear this community 21 wants (inaudible) -- 22 MR. BLACKMON: Oh, yeah. No. I know. Understood. 23 MS. HELLER: And if not -- 24 MR. BLACKMON: Yeah. Well, and a lot of it is that we 25 wanted to get started on this. We could have waited, you</p> <p style="text-align: right;">37</p> | <p>1 MR. BLACKMON: Sure. 2 MS. PERKINS: -- a little bit. 3 So where is the staging area proposed to be? Is it 4 right at the -- the ramp, or -- 5 MR. BLACKMON: The -- the work -- 6 MS. PERKINS: What do they need to do up on the park? 7 MR. BLACKMON: Again, that'll -- a lot of that will be 8 determined based on the -- the specific detail -- the 9 equipment that's going to be used. So that'll be in the EIR. 10 When we did the excavation work, it was up on the -- 11 the parking lot just right by the ramp. And they brought 12 some of the stuff down. 13 MR. GILLIES: I -- I -- 14 MR. BLACKMON: But this is going to be a little different 15 because there will also be -- the heavy, heavy equipment will 16 be coming in on -- no the barge on the marine side. So -- 17 MR. GILLIES: I believe for what was proposed is onshore 18 would be the spill equipment -- spill containment. And then 19 everything would be barged, or be staged, at -- right now 20 it's Long -- or Long Beach? 21 And then so it'll be doing a couple trips with the 22 barge, come in, build a cofferdam, go back, get the 23 abandonment equipment, bring that back, abandonment, and then 24 to come back and take out the cofferdam. 25 So that I think -- but as far as the alternatives,</p> <p style="text-align: right;">39</p> |
| <p>1 know, because we don't have the ability to start the Project 2 remediation. But we just -- that didn't make sense to us. 3 We want to get this done. We want to get the -- the 4 certification of the document and it have it ready, 5 understanding that we don't have the money now. 6 You may not have it when we're done with this. If 7 we do, fantastic. Let's move into the next stage and start 8 the work. But -- so all of the descriptions, and the 9 potential impacts, the start dates, and -- 10 MS. HELLER: Uh-huh. 11 MR. BLACKMON: -- you know, proposed end dates, and how 12 this is going to -- will all be explained in the -- in the 13 EIR. 14 MS. HELLER: Thank you. And we appreciate that. 15 MS. CAWTHON: I just -- a quick question. 16 What's -- what's the shortfall we're looking at? 17 (Inaudible). 18 MR. BLACKMON: 700,000. 19 MS. CAWTHON: 700,000? 20 MR. BLACKMON: Yeah. 21 MS. CAWTHON: Okay. 22 MS. PERKINS: Just a logistical question. We're doing 23 some work, and the community's working with Parks Department 24 on revitalizing and doing some -- changing the local Lookout 25 Park --</p> <p style="text-align: right;">38</p> | <p>1 building the pier or a platform is going to be a lot more 2 staging in Lookout Park. 3 MS. PERKINS: Yeah. 4 MR. GILLIES: A lot more. 5 MR. BLACKMON: Yeah. 6 MR. CURRAN: Yeah. This footprint shouldn't be any 7 bigger than assessment one, where we take part of the parking 8 lot and -- 9 MS. PERKINS: Right. 10 MR. CURRAN: -- and we stick a -- an environmental van 11 there that has environmental equipment and a couple of 12 trucks. And we won't even have Cats, or backhoes -- 13 MR. BLACKMON: Right. The larger equipment. 14 MS. PERKINS: Okay. 15 MR. CURRAN: -- or unloading of any equipment. It will 16 all be barge-based. 17 MS. HELLER: So this would have less impact -- 18 MR. BLACKMON: Yes. To the park. That's right. 19 MS. HELLER: -- to the park? On the park? And -- and 20 then -- land. 21 MR. BLACKMON: And that was the goal, once we realized 22 the feasibility for this. 23 MR. CURRAN: Anyone can walk around the tape. Yeah. 24 It's not going to close the park or anything. 25 MS. HAUSER: Pull the plug.</p> <p style="text-align: right;">40</p> |

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| <p>1 MS. PERKINS: Thank you.</p> <p>2 MR. BLACKMON: Hillary, you had a question?</p> <p>3 MS. HAUSER: I'm just wondering for the -- for the group.</p> <p>4 We tried for an OPC grant --</p> <p>5 MR. BLACKMON: Uh-huh.</p> <p>6 MS. HAUSER: -- last time around. And -- and what was</p> <p>7 the final word on -- from Jane Gray (phonetic) about trying</p> <p>8 again in the next round, in terms of --</p> <p>9 MR. CURRAN: Okay. What --</p> <p>10 MS. HAUSER: -- piecing together --</p> <p>11 MR. CURRAN: What killed us on that was we didn't have</p> <p>12 the EIR ready. We had to have the EIR completed by February</p> <p>13 of last year.</p> <p>14 MS. PERKINS: By the end date; right?</p> <p>15 MS. HAUSER: But the next round.</p> <p>16 MR. CURRAN: Well, or -- or the mitigated negative "dec."</p> <p>17 So we weren't even close to that.</p> <p>18 MR. BLACKMON: Right.</p> <p>19 MR. CURRAN: We didn't have enough funding.</p> <p>20 MS. PERKINS: Okay.</p> <p>21 MR. CURRAN: So that's a two-year cycle.</p> <p>22 MS. PERKINS: Okay.</p> <p>23 MR. CURRAN: So that comes around not this November but</p> <p>24 next November. We will apply again.</p> <p>25 MR. BLACKMON: Yeah. It's a way to, you know, continue</p> <p style="text-align: right;">41</p> | <p>1 MR. BLACKMON: We need -- yeah. Approximately \$700,000</p> <p>2 more.</p> <p>3 MR. CURRAN: -- an augmentation of 700- to do the 1.4.</p> <p>4 And -- and the barge -- and the barge significantly</p> <p>5 lessens the impact on the beach. Because not only do you</p> <p>6 have to go in and drive piles, and build the whole</p> <p>7 infrastructure to get everything out there, and have it out</p> <p>8 there by the time, then you have to take it all out again.</p> <p>9 So -- so pulling it all out is just as much as</p> <p>10 putting it in.</p> <p>11 MS. HELLER: Well, sure.</p> <p>12 MR. CURRAN: So that's why it takes two months on the</p> <p>13 beach, and basically restricts access on the beach</p> <p>14 completely.</p> <p>15 MR. BLACKMON: Question in the back?</p> <p>16 MR. PARKER: Yeah. So it looks like we're looking at</p> <p>17 years --</p> <p>18 MS. HELLER: Yep.</p> <p>19 MR. PARKER: -- before it's (inaudible).</p> <p>20 MR. BLACKMON: It -- it really could be. Yeah. Yeah.</p> <p>21 MR. PARKER: (Inaudible) living in a toxic environment.</p> <p>22 So I understand that technically no one owns this</p> <p>23 oil well at this point. But I don't think you can just</p> <p>24 abandon things; right? And get out of responsibility.</p> <p>25 But -- and so is there any sort of temporary</p> <p style="text-align: right;">43</p> |
| <p>1 to seek potential funds if we don't have any.</p> <p>2 MR. CURRAN: Yeah. We will apply for that grant every</p> <p>3 time it comes.</p> <p>4 MR. BLACKMON: Right.</p> <p>5 MR. CURRAN: And we apply for that and the coastal</p> <p>6 hazards projects -- other things we do --</p> <p>7 MR. BLACKMON: Yeah.</p> <p>8 MR. CURRAN: -- also. There's a lot of applicants for</p> <p>9 that.</p> <p>10 MR. BLACKMON: Yeah. A lot of competition. Yeah.</p> <p>11 MR. CURRAN: And I think that the total amount disbursed</p> <p>12 is about 3 million, and the most you can hope to get out of</p> <p>13 that is in the neighborhood of 250- to 300,000.</p> <p>14 MR. BLACKMON: Right.</p> <p>15 MR. CURRAN: Because they spread the money out amongst</p> <p>16 all the applicants.</p> <p>17 MS. HELLER: And we don't lose the 700- that's already</p> <p>18 been allocated?</p> <p>19 MR. CURRAN: Exactly. No. That's --</p> <p>20 MS. HELLER: It sits there and waits until we can find</p> <p>21 the rest of the money?</p> <p>22 MR. BLACKMON: That's right.</p> <p>23 MS. HAUSER: And the total -- so 700- plus -- what's the</p> <p>24 total?</p> <p>25 MR. CURRAN: Plus 700 -- so --</p> <p style="text-align: right;">42</p> | <p>1 mitigation that can be done?</p> <p>2 MR. BLACKMON: Not particularly well. Unfortunately.</p> <p>3 MR. PARKER: Well, would it be better?</p> <p>4 MR. BLACKMON: No. I mean, that was kind of what we were</p> <p>5 looking at. I mean, in order for this to stop leaking, it</p> <p>6 has to be reabandoned. The casing has to be assessed. We</p> <p>7 have to go in and actually fix it.</p> <p>8 You know, there -- there's still going to be -- and</p> <p>9 I think this was alluded to. Hillary mentioned this --</p> <p>10 there's still going to be oil on Summerland Beach.</p> <p>11 And it may be coming from other wells that are</p> <p>12 leaking. It may be some natural seeps in the area. It may</p> <p>13 be coming down coast from Coal Oil Point, and -- and because</p> <p>14 of the way the long drift shore -- the -- the -- the wave</p> <p>15 pattern goes, you're getting some of that.</p> <p>16 Part of that's the larger assessment that we're</p> <p>17 looking for in SB 900 so that there is better scientific</p> <p>18 evidence on how to prioritize and work for SB- because that</p> <p>19 will help inform potential mitigation measures in the future.</p> <p>20 And it could be any number of things, broadly.</p> <p>21 But to your point about, you know, we can't really</p> <p>22 abandon and just get away from it, that's really the -- the</p> <p>23 issue right now, is that the responsibly parties that did</p> <p>24 this no longer exist. They're not an entity involved.</p> <p>25 This is something that does fall on the State of</p> <p style="text-align: right;">44</p> |

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| <p>1 California, which is why we're trying to go pick this up. 2 It's -- we have jurisdiction over everything water-ward, I 3 mean, high tide line. We're not -- although we have 4 incredible engineers, we're not necessarily the agency that's 5 responsible for doing these types of abandonments. That's 6 the, like I said, the Division of Oil, Gas, and Geothermal 7 Resources. 8 But we -- we see this as a problem, obviously. 9 We've heard people. And we're trying to find solutions. We 10 have been for some time. 11 You know, there -- it's DOGGR, the -- the -- they're 12 having similar problems to us. They have a very limited what 13 they call orphan well fund. And they've been fighting the -- 14 the good fight with the Governor's office and everyone else 15 trying to get an increase in funding as well. But they 16 haven't been successful. 17 So the Governor's veto message was to indicate that 18 DOGGR needs to work with the State Lands Commission, see what 19 we can do. Between the two of us, we don't have any more 20 money. So this is going to be really difficult because 21 that's really been the limitation. 22 But, yeah, I mean, at the end of the day the 23 responsibility lies with the State of California. And so 24 continue talking with your elected officials and everybody 25 else. Because, really, they're the people who are going to</p> <p style="text-align: right;">45</p> | <p>1 negative impact. Because it's leaking everyday. 2 MR. BLACKMON: Well, yeah. So there's -- 3 MR. NEUMANN: So -- 4 MR. BLACKMON: There's a fair question to that. And we 5 could -- we could -- we could say that, yes, there's an 6 ongoing leak. The -- the -- and that's true. That's the 7 baseline situation. 8 The problem is that actually getting in and serving 9 the well, opening it up so that we can go in and properly 10 reabandon, may actually enhance the -- the leakage. And we 11 want -- we -- we have to have a plan for that in place. The 12 "neg dec" would say, "Well, that would never happen." So 13 you're not planning for it. 14 So part of the EIR and the mitigation measures 15 associated with that potential spill -- 16 MR. NEUMANN: Yeah. 17 MR. BLACKMON: Have to be built in and -- and prepared 18 for. 19 MR. NEUMANN: Okay. And then it concerned me when you 20 said we need to go out there with divers. It seemed to me 10 21 or 15 years ago -- 22 AUDIENCE MEMBER: 20. 23 MR. NEUMANN: -- there were divers out there for quite 24 some time. There was all sorts of work going on out there. 25 And so, I apologize for not following this more</p> <p style="text-align: right;">47</p> |
| <p>1 make a difference by way of legislation and/or appropriation 2 of the money for these types of activities going forward. 3 Which is, like I said, SB 900 was our starting point. 4 And I thought, really, it was a great pilot or test 5 project because the idea for this was let's build out. Let's 6 show what we can do with Becker Well. Let's show how it 7 works. Let's continue to add to the data that's out there 8 because it is a huge gap area in the scientific community for 9 this stuff. 10 And then we can always go back and -- and through, 11 basically, exhibiting a proof of concept on how well this 12 worked on Becker Well, let's go to the next. Let's try to 13 prioritize the larger legacy fields that we've identified in 14 SB 900 that our engineers really worked hard to assess the 15 history of. And there's a lot. There's a lot of them. 16 So we still need that support. Your -- your local 17 legislators need that support. I mean, that's how we're 18 going to get this done. And eventually it'll -- it'll make 19 its way up the chain. 20 And, you know, maybe next time, either a different 21 governor, or this Governor hears it differently. You know, 22 so we're hopeful. But that's -- that's the unfortunate 23 limitation that we're stuck with. 24 MR. NEUMANN: I -- I think it's obviously ironic that 25 requiring a negative declaration, and the time it takes is a</p> <p style="text-align: right;">46</p> | <p>1 closely, but it just seems like a déjà vu all over again, 2 like these things keep coming up and -- 3 MR. BLACKMON: There -- there -- there is -- there is 4 some redundant work. But -- but it's partly because the 5 changes and how -- first of all, things were GPS'd and done 6 now, versus historically. So there were things that were 7 looked at historically. 8 And the dive, I think probably Steve can talk to you 9 about that a lot more because he was actually there at that 10 time doing it. 11 MR. CURRAN: Okay. So -- so the -- so the dive not only 12 was to assess all the (inaudible) -- 13 THE REPORTER: I'm sorry. Sir, if you could kindly speak 14 up. I have to hear. 15 MR. CURRAN: Okay. The -- the survey work that was done 16 in 1994 was done not only to assess the -- the pier remnants 17 -- and it was leaking oil. So there weren't problems out 18 there -- but it was also done to tie the 1909 street map of 19 Summerland into the pier zone because all of that was not 20 well-known, or GPS'd, or -- or done properly. 21 So that's one of the things that came out of it. 22 Plus they did identify the Becker Well. So -- and it 23 identified eight other critical targets that they dove on. 24 And Treadwell 10 was one of them. And -- and two of them 25 were seeps. And others were pier remnants or a tar cap.</p> <p style="text-align: right;">48</p> |

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| <p>1 So there has been another dive done in the early 2 2000s, privately funded, for Treadwell 10 specifically. But 3 since then there's -- there's been no diving. 4 So I've noticed, in all the time I've worked on it 5 in the last 30 years, that it looks like it's more active out 6 there. There's more seepage. There's more oil on the beach. 7 And it's not just seasonal. Just in general, the baseline is 8 higher. 9 So that leads me to believe that something else 10 could be leaking out there. Or the seeps are a little high. 11 Something else is different that's happening. So that's the 12 quality of -- of getting, you know, an -- an updated dive 13 survey. 14 But it would be a lot more specific this time. That 15 first one was done as an area-wide dive, and it was gridded 16 out, the whole beach of Summerland, and the whole area out, 17 and covered all the piers. 18 That's why when we do aerial surveying first and 19 look at point sources from the air -- 20 MR. BLACKMON: Right. 21 MR. CURRAN: And then do specific target diving and -- 22 and find out: Is it a seep? Is it a well? Is it -- is it 23 near a well? You know -- (inaudible). 24 MR. CRABBE: How can you tell if it's a seep or a well if 25 the wells are leaking, and the stuff goes sideways --</p> <p style="text-align: right;">49</p> | <p>1 the ocean bottom. Okay. 2 And there is no reservoir seal for all of that area. 3 So that will seep out, and you'll see it. Now -- 4 MR. CRABBE: Well, I've been there 40 years, and I'll 5 tell you. I used to go to the beach all the time. I'm a 6 commercial fisherman -- had been a commercial fisherman. And 7 I've lived there for 40 years. And it was beautiful, 8 pristine. No oil seeps. 9 And I'm out in that water for years and years, and I 10 still am. And I know there was no oil seeps for 15 or 20 11 years that I lived here -- first 15 or 20 years that I lived 12 here. 13 MR. CURRAN: How long -- 14 MR. CRABBE: I didn't see any -- 15 MR. CURRAN: How long ago was that? 16 MR. CRABBE: 1976. 17 MR. CURRAN: Yeah. We did -- we did work out as there as 18 early as the '50s. So there was a lot of work that happened 19 in the late '60s where they capped a bunch of the wells with 20 surface caps. So that probably affected what you were 21 seeing. That had a real positive effect at that time. 22 MR. CRABBE: All right -- sure did. 23 MR. CURRAN: So they were out there -- 24 MR. CRABBE: (Inaudible) -- nice -- (inaudible). 25 MR. CURRAN: If I -- if -- if you get my information,</p> <p style="text-align: right;">51</p> |
| <p>1 MR. CURRAN: Okay. So -- 2 MR. CRABBE: -- (inaudible) -- 3 MR. CURRAN: So here's how it was developed. 4 MR. CRABBE: -- and you say, "Oh, that's a seep." 5 MR. CURRAN: Okay. So here's how it was developed at the 6 turn of the century. There were active seeps out there. 7 And -- and the pioneers that went out -- the 8 railroad engineers, actually, went out and -- and developed 9 this thing said, "Oh, look. There's oil in the water. The 10 Indians are -- are coating their boats and making things 11 waterproof. We're going to build our pier right over where 12 that oil's coming up." 13 And that's where they drilled. So all of the piers 14 are -- are built over the seeps. Because you go where oil 15 is. 16 So what happens is the way you determine whether 17 it's -- it's a well or whether it's an active seep from being 18 natural is when you get down with a diver, and you start to 19 assess it and excavate a little bit with a little hand 20 shovel, or just a diver glove, you can get down to base rock 21 there pretty easily, in areas. 22 And you can actually see the bubbles of oil and gas 23 coming out of the rock. So you know that's not a well. 24 Because it's coming -- because the -- because the Monterey, 25 or whatever the formation -- the Rincon it -- it outcrops at</p> <p style="text-align: right;">50</p> | <p>1 I'll e-mail you the history of the work done out there. And 2 you'll that that's probably what affected what you're talking 3 about. 4 MR. CRABBE: Okay. And if we really -- about something 5 you said earlier, the prevailing current, really, is north, 6 except a little -- 7 MR. BLACKMON: It comes back (inaudible). 8 MR. CRABBE: -- south. But the major current is north. 9 That's why we don't get much of that Goleta oil down here at 10 all. I mean, I never used to see it when I was fishing. 11 MR. BLACKMON: Uh-huh. 12 MR. CRABBE: Maybe once every two or three years. 13 MR. BLACKMON: Sure. 14 MR. CRABBE: But that was way -- (inaudible). 15 MR. BLACKMON: Yeah. Primary currents are -- haven't 16 changed all that much. But there are some where you get, 17 sort of, storm-event issues. But, yeah. 18 MR. PARKER: Oh, I -- I didn't meant to interrupt. 19 MR. BLACKMON: Oh, no. Go ahead. 20 MR. PARKER: I'm just getting my head around the fact 21 that, you know, I -- I -- I heard the stories, we all read in 22 the news about Porter Ranch. And I thought, "That could he 23 never happen in Santa Barbara. What's wrong with those 24 people?" 25 And now I'm getting my head around the fact that I'm</p> <p style="text-align: right;">52</p> |

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| <p>1 living with a toxic beach town. Our town is toxic right now. 2 And you mentioned the temporary measures that you 3 did in the '70s; was it? 4 MR. CURRAN: Well, those weren't temporary measures. 5 Those were out with divers and -- and with a -- and with a 6 few -- (inaudible). 7 MR. PARKER: Why can't we do that again? 8 MR. CURRAN: You could, but -- 9 MR. PARKER: At least for -- 10 MR. CURRAN: But -- 11 MR. PARKER: Because we're going to need -- we're going 12 to need some sort of stopgap for the next three, to four, to 13 five, to ten years. And you mentioned Jack O'Connell. 14 AUDIENCE MEMBER: '92. 15 MR. CURRAN: Yeah. 16 MR. PARKER: Jack O'Connell -- 17 MR. CURRAN: That's a '92 -- correct. 18 MR. PARKER: So we need to do some sort of temporary 19 stopgap measure. 20 MR. CURRAN: Well, remember, on the dive survey in 1994, 21 we only came up -- there's nothing visible. Those -- those 22 have been taken care of in 1960. So that -- so we can't fix 23 the problem that doesn't -- that's not visible or doesn't 24 exist. There's nothing that manifests itself now. 25 So those 60-or-so wellheads or -- or -- or caps</p> <p style="text-align: right;">53</p> | <p>1 So it's -- it's a great thing, but it does work 2 against being very quick on certain types of actions. Most 3 of the time it would be fine if it was a purely beneficial 4 impact. We could just say it's, you know, it's not going to 5 be a problem. It doesn't trigger CEQA. 6 But when you're dealing with -- all the oil wells 7 have to be reopened and reabandoned, there's -- there's 8 always a big risk associated with that. And I'm not talking 9 like a Gulf Coast blowout. That's not the -- that's not the 10 problem. But you have a much higher likelihood offshore for 11 spill because of the difficulty of controlling the immediate 12 environment. 13 And so -- 14 MS. HELLER: If you think we're mad now, think how much 15 madder we would be if you guys did it wrong. 16 MR. BLACKMON: Yeah. I mean, and -- and there are 17 problems associated with that. Or if it -- yeah. Or if it 18 exacerbated some problem down-hole because you're in a hurry 19 to just try and, you know, throw something on it. So -- 20 And -- and part of this is, like I said, is -- is 21 not -- it's not insensitivity to the timeframe. We just -- 22 we need to do the data the -- the best way that we can 23 because it's going to provide, hopefully, the framework for 24 subsequent work, not just in Summerland but other places that 25 have problems with these legacy wells.</p> <p style="text-align: right;">55</p> |
| <p>1 where they had plates, were -- were taken and had cement put 2 in, and recapped, and cut off, and they're not visible 3 anymore. 4 So the only thing we do have out there is, of 5 course, Treadwell 10. There's a whole backstory that why 6 they don't that. There -- there's a lot of scientific 7 evidence to -- to come up with something better before you 8 try your fifth attempt on that well. Because it sits right 9 in the Ortega Fault zone. 10 And even if you pump cement around it, like you have 11 previously, the previous times, it stays quiet for about six 12 months. And then as soon as the earth moves a little, it -- 13 it'll -- 14 MR. BLACKMON: Yeah. 15 MR. CURRAN: -- lose again. And so it -- it comes up 16 around. 17 So you've got to get a specialized type of cement 18 that you think can work for a long period of time, kind of 19 like a bell hole, back in what they used in Long Beach. 20 And they don't really have anything -- the have some 21 things that they've tried with gas wells. But if there's 22 nothing, that's a fantasy, you know, engineering. 23 MR. BLACKMON: And the other thing about the '60s, early 24 '70s, is that CEQA wasn't in place. It didn't come out until 25 the '70s.</p> <p style="text-align: right;">54</p> | <p>1 So, you know, if we -- if we kind of do a one-off, 2 and we don't take the time to do the -- the protocol right, 3 it's going to -- it's going to impact us in the -- in the 4 long. 5 And Becker Well, while it's a problem, it's not -- 6 it's not the core of all the problems on Summerland Beach. I 7 mean, it's one visible one. But, clearly, the slicks that 8 are out there that we get reports on from our inspectors are 9 not being caused exclusively by the Becker Well. 10 But that's one we've identified. We know it's 11 leaking. And, you know, it's actually something we can 12 address. It's still very difficult. I mean, just to put 13 this in perspective, and I'm not trying, you know, throw 14 anyone off, but, you know, inland -- 15 Take Kern County. And I'm not talking about for 16 environmental reasons. But you're in the middle of the 17 county, flat plains, it -- you know, down on -- on the -- in 18 the valley floor, abandoning an oil and gas well that's even 19 a -- a deep oil and gas well costs a fraction of what it 20 costs to work in -- in the marine zone. 21 Not to mention there's a lot of people in the oil 22 and gas industry who are engineers who don't want to work in 23 the marine zone because of the potential risks. 24 So you have a smaller pool of people who, one, I 25 think are capable of doing it and have the experience, and,</p> <p style="text-align: right;">56</p> |

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| <p>1 two, the ones who are willing to actually get out there and 2 participate in way that's meaningful. 3 So, you know, an abandonment that costs 200- 4 \$250,00 inland, it's going to be a million-plus on the coast 5 because of where -- in -- in the surf zone -- and go up from 6 there. 7 And -- and so that's always a limitation in terms of 8 just funding. 9 Yeah? 10 MS. HAUSER: I -- I'd like to -- in my way of thinking, 11 (inaudible), we know that Becker isn't the only thing. But 12 we know it's there. 13 MR. BLACKMON: Yep. 14 MS. HAUSER: And we know that if we do something about 15 what we know, it -- we've done one thing. 16 And so back to money. Money. It's all about money. 17 If the -- if CEQA is done in time to apply to (inaudible) for 18 200,000, (inaudible), then we have a balance of 400-, or 19 whatever. And between now and then, I think our job is to go 20 -- or my job, or somebody's job. Our job is to go find the 21 rest of the money to start on Becker by the time CEQA's -- 22 MR. BLACKMON: Yes. 23 MS. HAUSER: -- done. 24 MR. BLACKMON: Yeah. And that's -- yeah. That's the 25 collective --</p> <p style="text-align: right;">57</p> | <p>1 MS. HELLER: -- budget cycle. 2 MR. BLACKMON: Right. 3 MS. HELLER: So we're limited by the annual budget cycle. 4 And we're also limited by the fact that these are 5 orphan wells. So there is no private corporation that we can 6 sue. 7 And, unfortunately, the State of California is not 8 legally obligated to -- 9 MS. PERKINS: Fix it. 10 MS. HELLER: -- to fix this. We're asking the 11 Governor -- and the staff very much want to do this -- we're 12 asking the Governor to fund something that he doesn't have to 13 fund. 14 MR. BLACKMON: Right. 15 MS. HELLER: He can put his money elsewhere. So, you 16 know, how -- you could get the legislature to pass a law 17 mandating it, but then the Governor vetoes it -- 18 MR. BLACKMON: Right. 19 MS. HELLER: -- if he doesn't want to do it. So this is 20 American government; right? 21 (Cellphone rings) 22 MS. PASINI: I -- I had a thought. 23 MS. HAUSER: Sorry. 24 MS. PASINI: Has anybody explored the possibility of the 25 -- (inaudible).</p> <p style="text-align: right;">59</p> |
| <p>1 MS. HAUSER: I think that's the challenge -- 2 MR. BLACKMON: Yeah, that's the collective effort. 3 MS. HELLER: Well, and part of the challenge, and maybe 4 it would help to explain a little bit to people how 5 California government works. 6 So our budget is on an annual cycle. And it's 7 unusually voted on in June. 8 MR. BLACKMON: Yep. 9 MS. HELLER: So, you know, usually you can't submit a 10 budget change proposal and have it acted on within the 12 11 months at random. It has to be -- 12 MR. BLACKMON: Yep. 13 MS. HELLER: -- approved every year annually. So that 14 slows things down. So we can't go back to the Governor now 15 and in October and say, "We need this money now." It's not 16 going to be happen, assuming you have the middle -- until 17 June. So that -- 18 MR. CURRAN: But -- but we already did. 19 MS. HELLER: We -- yeah. I mean, you can submit it. But 20 you're not going to get -- I mean, we got what we have 21 already. 22 MR. BLACKMON: Right. 23 MS. HELLER: But to get more, we're not going to get it 24 now. We have to wait for the next -- 25 MR. BLACKMON: Right.</p> <p style="text-align: right;">58</p> | <p>1 THE REPORTER: I'm sorry, miss -- I'm sorry. Sorry. 2 Would you mind repeating what you just said? I 3 couldn't hear. 4 MS. PASINI: I was curious if anybody had applied or 5 discussed with County getting funds out of the 6 Coastal Resources Enhancement Funds. 7 MS. PERKINS: Doesn't meet the criteria for that. 8 MR. BLACKMON: We've -- we've heard that from a couple of 9 different things we've looked at. And, you know, there -- 10 there are -- there are potentially options out there, but, 11 you know, a lot of it is whether or not it fits inside the 12 appropriate box for a lot of the funds. 13 MR. CURRAN: You need restoration of wetlands, and some 14 of the things like that. And we tried this year, and -- and 15 we didn't meet the criteria. We didn't (inaudible). 16 MR. BLACKMON: And there have been broader discussions 17 that -- that I've been involved in on kind of the -- the -- 18 tangentially. I know that the -- that the DOGGR has looked 19 for funds. I know they've talked with folks from the federal 20 government seeking funds. 21 I mean, I think that some of the expectations are -- 22 and that's been something that I've heard. This is all 23 hearsay. But that's something that I heard was -- was sort 24 of directed by -- the Governor was trying with the federal 25 government for this.</p> <p style="text-align: right;">60</p> |

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| <p>1 But, you know, I mean, and from what I've heard, 2 again, you know, I think the federal government has been very 3 clear. They're -- they're prepared to respond as necessary 4 because that's the primary role. But they're -- they're not 5 here to piggybank for the State of California. We -- we have 6 our own issues. We have to address them. 7 And we're trying. You know, I mean, this isn't -- 8 this isn't kind of something where we get to kick off. And 9 the larger point that -- that Lee just put out there is that, 10 you know, what we've tried to do for the State of California 11 through the State Lands Commission, and we're still fighting 12 this fight, separate from just Summerland, is somebody 13 mentioned, sort of, the Oil and Gas Superfund. 14 I'm not aware of it. But we are trying to do, you 15 know, for, like, the Long Beach unit, for example, we have -- 16 there's a huge operation on the THUMS Islands down in 17 Long Beach. There's a sinking fund that they pay into that 18 is statutorily capped at 300,000 -- or 300 million dollars to 19 abandonment wells. 20 The abandonment cost for that particular field that 21 would fall to the State of California are well in excess of 22 600 million. So there's a 300 million shortfall. We've 23 continued to try and get legislation to appropriate money 24 from the Long Beach unit production so it continues to 25 increase accordingly with the ongoing increases in -- in</p> <p style="text-align: right;">61</p> | <p>1 MS. HELLER: In April. I remember standing around on the 2 beach with a bunch of you. 3 We went to the County of Board of Supervisors to 4 address the issue. And I think somebody from DOGGR came -- I 5 can't remember if it was DOGGR or State Lands -- and said, 6 "We don't have any money." So we all went home and said 7 there's no point in asking for what doesn't exist; right? 8 You can't -- you know, this was after we were 9 recovering from the economic collapse. Couple of years later 10 when things got worse, the economy had gotten better. So we 11 were able to start this conversation. 12 Now we're at the point, and I know it seems very 13 slow, where these guys are going to do an EIR. This is 14 actually a big step forward in the bigger picture of things. 15 So it's very frustrating. But we're also making progress. 16 And, fundamentally, this is about the responsiveness 17 of elected officials. They're the ones who decide how 18 resources are used. So if you are active and engaged, and 19 working for and lobbying elected officials to allocate 20 resources, that's the way you get the resources. 21 You guys are staff. They don't have any control 22 over that. We get to decide who we elect, and we get to 23 badger them, and -- and encourage them to work on things, and 24 that includes a -- a congressperson who can advocate for the 25 federal government. And we we're in the middle of a</p> <p style="text-align: right;">63</p> |
| <p>1 abandonment costs. 2 We haven't been successful. I mean, we -- we put 3 legislation forward just like -- like Senator Jackson does. 4 And we sponsor it, and we push for it. The Controller, the 5 Governor push for it. And it -- it goes nowhere. Either it 6 dies in Appropriations because of money issues, or there's a 7 veto from the Governor. 8 So, yeah, I mean, as Lee said, this is sort of the 9 -- the shortfall of the government. There is a degree of 10 responsibility that the State of California generally owes 11 the people because, you know, the State was benefited by 12 revenue, and other things from the oil companies, but there 13 was no residual fund built out for potential downstream 14 issues. 15 And that's -- that's a larger -- it's a larger 16 conversation that people have. And -- and, you know, it's 17 just -- it's about consolidating that conversation, and 18 getting everybody onboard, and pushing for it. 19 MS. HELLER: And I will add so people aren't getting too 20 discouraged. Because I don't want people to go, "Oh, well. 21 This is hopeless. Let's give up." 22 When the -- was it Andrea and Steve 23 Fishback (phonetic) who first saw the -- the pipe sticking 24 up? This is 2011. 25 AUDIENCE MEMBER: Right.</p> <p style="text-align: right;">62</p> | <p>1 congressional race. 2 We have a -- a can -- and I'm not pitching this 3 because of supporting Salud personally. 4 AUDIENCE MEMBER: Yes, you are. 5 MS. HELLER: He knows this area -- 6 I am not. 7 (Laughter) 8 MS. PERKINS: Yes, you are, Lee. 9 MS. HELLER: But -- 10 MS. PERKINS: We know you are. 11 MS. HELLER: He has an investment in this community as 12 our current First District Supervisor. And he understands 13 the issues. So if that determines your vote, think about 14 that. 15 If the other guy -- you think the other guy will do 16 it for you, then work for him. But get peoples in office who 17 will work on the issues you care about. 18 MS. HAUSER: Well, Hannah-Beth has also said she's going 19 back in January. 20 MR. BLACKMON: She will. 21 MS. HAUSER: And we'll go at it again. You know, I mean, 22 and I agree with you, Lee. We can't just go away and say, 23 "It doesn't --" you know, "We're going to give up." 24 And we went to the regional board to see, "Where's 25 your money? Where -- where's your pot?" Then we -- we had</p> <p style="text-align: right;">64</p> |

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| <p>1 this -- this -- said to us that it -- this is a state 2 project. So you can't use state grants on a state project. 3 But, anyway, I am convinced that we can find this 4 needed money if we just go forward. I'll fight the State 5 while Hannah-Beth works on getting the whole picture put back 6 together. There are pots of money around somewhere. We just 7 have to find them. Or rob a gas station. 8 (Laughter) 9 MS. HELLER: Yeah. And without our oil severance tax in 10 the State of California, we wouldn't have a revenue source to 11 deal with. 12 MS. HAUSER: That's true. 13 MS. HELLER: So lobby the Governor to -- to approve 14 (inaudible). 15 But more -- more importantly, is everybody on the 16 Summerland Citizens Association e-mail list to get 17 information about these kinds of things? Because that's out 18 I'm informing people. And if you're not, give me your e-mail 19 address because knowing what's going on and speaking up when 20 you want something is how it happens. 21 MR. GILLIES: And also, when we did Phase 1 last October, 22 that was a big -- a big deal because that's where we were 23 able to get the information to come up with the plan for the 24 full abandonment, which we had Interact prepare for us, and 25 we got that done in the spring of this year, and that's what</p> <p style="text-align: right;">65</p> | <p>1 MR. NEUMANN: Well, I just want to thank you for -- I 2 think we strayed a little bit from the agenda. 3 MR. GILLIES: Well, I think what happened, I think this 4 turned more into a workshop, which I think is more beneficial 5 -- 6 MR. BLACKMON: Yeah. 7 MR. CURRAN: -- actually, and more informative. And 8 maybe when we get the document out, we will have more of a 9 workshop-type -- 10 MR. BLACKMON: Public comment. 11 MR. GILLIES: Public -- 12 MR. BLACKMON: Yeah. 13 MR. GILLIES: -- comment period. 14 MS. HELLER: Be really helpful. 15 MS. PERKINS: I think this is -- this format has worked 16 well. 17 MR. GILLIES: Yeah. I think so too. 18 MS. HELLER: Thank you for your flexibility in letting it 19 turn into a conversation. 20 MR. GILLIES: No, no, no. 21 MS. HELLER: I think that was really helpful to 22 everybody. 23 MR. GILLIES: No. I -- 24 MR. NEUMANN: I also feel so much better you've been here 25 for so long.</p> <p style="text-align: right;">67</p> |
| <p>1 we used as our project description. 2 And then, also, I just want to -- in -- in the 3 process, too, once we get CEQA, once the document's 4 certified, we also have a lot permits to get. 5 MR. BLACKMON: Yeah. 6 MR. GILLIES: So that's going to take some time too. We 7 worked with the agencies last October, and they really 8 streamlined that for us. But it will take some time. We 9 will need Coastal Commission permits. Other state -- 10 MR. BLACKMON: Local. We'll need the Park. 11 MR. GILLIES: Park. 12 MR. BLACKMON: Park. Yeah. 13 MR. GILLIES: So that will take time too. But -- 14 MS. HELLER: I think we're okay on that. 15 (Laughter) 16 MS. PERKINS: Yeah. We're okay on that one. 17 MR. BLACKMON: Yeah. County of Santa Barbara 18 (inaudible). 19 MR. GILLIES: But once we get the document certified, 20 then -- and the urgency -- it should go fairly quickly with 21 the permitting. But that's just another step that we'll have 22 after our Commission certifies and approves it. 23 MS. HAUSER: We need 400 people, a thousand each. 24 MS. HELLER: There you go. 25 MR. BLACKMON: Yep.</p> <p style="text-align: right;">66</p> | <p>1 (Laughter) 2 MR. NEUMANN: I'm just afraid things are falling through 3 the cracks, but they're not because -- 4 MS. HELLER: No. Steve's been on it. 5 MR. NEUMANN: He's been on it, and he's very 6 knowledgeable. So -- (inaudible). 7 MR. GILLIES: And I -- I've been working on the 8 Santa Barbara hazards program since 2001 when we did the MND 9 back then. And we're still always looking for money for that 10 program, as Seth was saying. And -- and -- because that's 11 been a great program, taking on hazards. So -- and there's 12 still a lot more to do. 13 MS. HAUSER: Well, I join Lee and all of us thanking -- 14 AUDIENCE MEMBER: Yeah. 15 MS. HAUSER: -- you guys. 16 MS. HELLER: Yeah. 17 MR. BLACKMON: Very welcome. 18 AUDIENCE MEMBER: We sure appreciate that. 19 MR. BLACKMON: We're hopeful. 20 MS. HAUSER: Yeah -- everybody for sticking with it. 21 We'll do what we can to help. 22 MR. BLACKMON: Thank you. 23 MS. HAUSER: Their offshore diving contract (inaudible). 24 (Laughter) 25 MS. HELLER: And, again, if anybody wants a sort of</p> <p style="text-align: right;">68</p> |

1 regular update, and doesn't feel like they're getting it, and
2 wants to be added to the Summerland Citizens Association
3 list, I can take your e-mail address and add you because I --

4 Whenever something like this comes along, I just
5 shoot out an e-mail from the SCA because it's their
6 organization that really speaks for the community. You don't
7 have to live in Summerland to be on that.

8 MR. BLACKMON: Well, thank you, Lee.

9 MR. GILLIES: All right. Well, thank you.

10 THE REPORTER: Are we done?

11 MR. GILLIES: Yes.

12 THE REPORTER: Thank you.

13 MR. GILLIES: Thank you.

14 (Meeting concluded at 3:14 p.m.)
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