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

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

### Table C-2. Responses to the NOP Comments

<table>
<thead>
<tr>
<th>Comment #</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-1</td>
<td>The Project Draft EIR addresses air quality impacts in Section 4.3, <em>Air Quality</em>. 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, <em>Mitigation Monitoring Program</em>.</td>
</tr>
</tbody>
</table>
### California Coastal Commission (11/7/16)

2-1 Project requirements responsible, coordinating, and consultation agencies/entities, including the CCC, are discussed in Section 1, *Introduction*.

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, *Hazardous Materials and Risk of Upset*.

### Native American Heritage Commission (10/10/16)

3-1 Tribal issues are addressed in Section 4.6, *Cultural Resources - Tribal*.

### 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, *Project Description*, and Project alternatives are discussed in Section 5, *Project Alternatives*.

### 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, *Project Description*.

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, *Project Description*.

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, *Introduction*. 

---

*Becker and Legacy Wells Abandonment and Remediation Project Final EIR*  
*July 2017*  
*C-ii*
<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Eric Friedman (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Hillary Blackerby (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Andy Neumann (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>13-1</td>
</tr>
<tr>
<td>13-2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Suzanne Perkins (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>14-1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Sharon Burrel (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Hillary Hauser (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-1</td>
</tr>
<tr>
<td>16-2</td>
</tr>
<tr>
<td>16-3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Gilbert Crabbe (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>17-1</td>
</tr>
<tr>
<td>17-2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOP Scoping Meeting – Michelle Pasini (10/20/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-1</td>
</tr>
</tbody>
</table>
NOP Comment Letters
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.
2. **Odor Impacts.** The EIR should examine the potential for nuisance odors during the project and should include mitigation measures to 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.

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 with the Local Coastal Program (LCP) jurisdiction of the City of Carpinteria may require further CDP authorization from the City.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 to 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.

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

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.

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
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 (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 upon 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.
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.

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_CalEPA.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.

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

Sincerely,

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

cc: State Clearinghouse
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

--
Fran
Dear Eric Gillies:

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

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.

Thanks,

Andy
805 969-3912
BEFORE THE CALIFORNIA STATE LANDS COMMISSION
ERIC GILLIES, ASSISTANT CHIEF
ENVIRONMENTAL PLANNING AND MANAGEMENT

In the Matter of the: 
BECKER WELL ABANDONMENT AND REMEDIATION PROJECT
Scoping Meeting
For the preparation of the Environmental Impact Report

TRANSCRIPT OF PROCEEDINGS
Carpinteria, California
Thursday, October 20, 2016

Reported by:
JOANNA HAMMOCK
Hearing Reporter

Job No.:
12255MSA

1

APPEARANCES:
For the PROPONENT: ERIC GILLIES
ASSISTANT CHIEF
STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 Howe Avenue
Suite 100-South
Sacramento, California 95825

SETH E. BLACKMON
STAFF ATTORNEY
STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 Howe Avenue
Suite 100-South
Sacramento, California 95825

STEVEN M. CURRAN
SENIOR DRILLING ENGINEER
STATE OF CALIFORNIA
STATE LANDS COMMISSION
200 Oceangate
12th Floor
Long Beach, California 90802

Also Present: Members of the Public including:
HILLARY BLACKERBY
SHARON BURREL
SUZY CAWTHON
GILBERT CRABBE
ERIC FRIEDMAN
HILLARY HAUSER
LEE HELLER
SENATOR HANNA-BETH JACKSON
ALLISON MAGINOT
ANDY NEUMANN
JAY PARKER
MICHELLE PASINI
SUZANNE PERKINS

TRANSCRIPT OF PROCEEDINGS, taken at 5775 Carpinteria Avenue, Carpinteria, California, commencing at 2:00 p.m. on Thursday, October 20, 2016, heard before ERIC GILLIES, Assistant Chief, reported by JOANNA HAMMOCK, Hearing Reporter.
MR. GILLIES: Welcome to the scoping meeting for the preparation of the EIR for the Becker Well Abandonment and Remediation Project.
If you haven’t done so, the sign-in sheets are when you come in. And if you would like to speak, there’s speaker cards, and turn those in. And then if you don’t wish to speak, you could write comments on the back. There’s room for comments that you can turn those in.
I’m Eric Gillies. I’m Assistant Chief of Environmental Planning and Management division, the State Lands Commission.

The California State Lands Commission is the lead agency under the California Environmental Quality Act, or CEQA, for this Project, and we are acting as the Project proponent. The Notice of Preparation that we publish earlier this month for thirty days came out, and copies are available at the desk where the sign-in sheets.

I was hoping Steve Curran would be here. He’s our engineer.

MR. BLACKMON: He was parking -- be here shortly.
MR. GILLIES: He’ll be in here shortly. So if there’s any technical engineering issues you’d like to have questions on, he’s the expert on Summerland.

And then I have Kennedy Court Reporting here, and she’ll be transcribing the meeting so we make sure we document everything’s discussed today.

So we’ll over go to the meeting agenda, introductions, purpose of the meeting, brief description of the Project, the CEQA EIR process, and where we are, and where we’ll go. And then we’ll open it to public comments.

So as I mentioned, State Lands Commission is the Project proponent and the CEQA lead agency. The purpose of this meeting is, basically, to take public comments on the content as we -- and the -- as we prepare the EIR by the staff of State Lands.

I’ll give a little background. Background is the Summerland Field -- Oil Field -- is an onshore and offshore oil field that was produced in the late 1800s to 1900s.

This slide shows, basically, the outline and the historic piers that were there in the turn of the Century -- the 1900s.

This is a rough diagram of a couple historic piers.
I was just advised where the Tread- -- Treadwell Pier is.
It’s probably further to the east than that location. But it just provides approximate location of the historic piers, and where Becker Well is located.

This slide shows evidence of the well back in 2014. And then, also, we did a Phase 1 assessment of the well, excavation, October of 2015, where we did some measurements on the well and put an anchor adjacent to the well so we could easily find it for the next phase, which will be the abandonment phase, which we’ll be doing the EIR on.

The Project is -- the access to the well is probably the biggest issue for this Project. We are proposing to use the jack-up barge, as you see in the picture, to access the well, build a cofferdam to isolate the -- the well from the tides.

And then it’ll be a -- probably couple trips to build the cofferdam, and then come back, and then abandon the well. It’s estimated to be about a three-day job to do the abandonment.

So CEQA process, it applies to projects that require discretionary action from a state or local agency, us being the State of Cali- -- State Lands Commission. And preparation of an EIR is required when evidence has indicated that proposed project would have a significant impact on the environment.

Basically, here’s a flowchart of the CEQA process. We published the NOP in October, and we’re currently in the public-scoping phase, which is today.

And then after this, we’ll take -- end of the comment period, I believe, is November 7th -- and after that, we’ll prepare the EIR, do another public-review period, and come down for another public meeting to take on comments on the EIR.

So the impact analysis -- that would cover -- be covering the EIR -- be based on changes on the environment compared to existing conditions, requires the focus on significant -- potentially significant -- impacts, measures to reduce and avoid significant impacts.

Socioeconomic impacts are not considered significant under -- under CEQA. And alternatives are generally evaluated in less detail than the proposed project.

The NOP covers a lot of potentially significant effects for this Project. The EIR will focus on aesthetics, air quality, biological resources -- both marine and terrestrial -- hazardous materials such as oil spills during operations, geology, greenhouse gasses, water quality, and recreation, since access will be going through Lookout Park.

And then alternatives. We’ll be looking at several alternatives that meet the Project objectives. They must be feasible and capable of reducing one or more significant impacts to the Project. And then we’ll include a "no project" alternative, as required under CEQA.

A couple of alternatives that we would be considering is -- the current proposed Project is accessing...
the well from off shore. There are a few alternatives that
would propose building a pier or platform from onshore. And
those -- those alternatives would be a longer process. But
we'll evaluate those in the EIR.
And with that, we'll go ahead and open it to public
comments. Basically, helpful comments would be range of
actions, if there are any other alternatives, mitigation
measures, and significant effects that we should be analyzing
in the EIR.
So with that, I have probably half a dozen speakers.
Okay. Got Senator Hannah-Beth Jackson.
MS. MAGINOT: She's en route.
MR. GILLIES: Oh. Okay.
Suzy --
MS. CAWTHON: Cawthon.
MR. GILLIES: "Cawthon"?
MS. CAWTHON: Uh-huh.
MR. GILLIES: If you could just come up here.
MS. CAWTHON: Oh. Sure.
MR. GILLIES: And state your name and affiliation.
MS. CAWTHON: Hi. My name is Suzy Cawthon, and I'm
representing the Summerland Citizens Association, which not
only represents citizens of Summerland, but also the business
community.
And we think it's just imperative that this move
along as swiftly as you possibly can. As you're aware, our
citizens are not able to use the beach for recreation. If
you try to walk, your feet are black when you come back.
That's almost shut down our beach, and it hurts our
businesses as well.
So our entire community want to see this handled as
expeditiously as you possibly can. We've waited, and
screamed, and cried a long time to get this addressed. And
we really want to see it moved along.
Okay. Great.
MS. CAWTHON: Thank you.
MR. GILLIES: Thank you.
Lee Heller?
MS. HELLER: Good afternoon. My name is Lee Heller. I'm
a homeowner and have been a resident of Summerland for nearly
14 years. And I've been the lead nag on this issue for at
least three of the past years.
And I have some specific questions. I don't know if
you're responding to questions today, or just taking comment.
And the brevity of the presentation leaves a lot of
information unexpressed.
I don't know if Steve wants to get up at some point
and go into more detail.
Or Eric, if they're going to do it.
MR. GILLIES: We can have answer some questions. If
they're technical questions. Or --
MS. HELLER: Yeah, I think -- I think this room will
probably be interested to know specifically what's involved
in the proposed Project, rather than that sort of vague
description of the barge, why you chose that rather than
building the temporary pier.
The NOP does describe the proposed length of the
Project, that it's 3 to 4 weeks to do the construction, and
you mentioned 3 to 4 days for the actual reabandonment.
MR. GILLIES: Right.
MS. HELLER: I think a little bit more detail would be
helpful to this community. I think, also, knowing what the
timeline is for completing the EIR and then doing the actual
Project and reabandonment.
I'm personally puzzled as to why you're not doing a
mitigated "neg dec" and would like to hear why the decision
was -- because this Project addresses an environmental hazard
and is temporary, I'm puzzled why there's a need to do any
EIR.
I understand, originally, there was the need to do a
programmatic EIR, but when Senator Jackson's wonderful
legislation -- and she's arrived -- was vetoed, obviously,
the -- the appropriateness of the programmatic EIR was no
longer the case.
MR. GILLIES: Uh-huh.
that the Governor did not want to go into the General Fund to try to remediate this problem that was created by irresponsible oil development many years ago, which sadly cannot be remediated at this point in time by those who were responsible at that point for creating the conditions that we are seeing now 50 years, 70 years later.

My point is that the Becker Well is clearly, I would call, the lowest-hanging but most obvious fruit, in terms of the need to cap this well appropriately and to make sure that we begin a process to try to cap the over 200 -- I'm told there could be as high as 220 -- wells that were not properly capped probably cap, that are orphaned, that are primarily in the Santa Barbara Channel and in the county -- outside the county itself.

This is really a very serious problem, as was mentioned. It's a health issue. It's an environmental issue.

Part of the legislation that the Governor vetoed called for a study to determine whether the seepage we're experiencing is, in fact, natural, as is claimed by some, or whether or not that seepage does have a significant element to it as a result of these uncapped wells.

It's my hope and my understanding that State Lands is going to continue with this well. It's my hope that it does this work with all seriousness. Having someone here today is somewhat gratifying.

However, my message is to go back to the State Lands entity itself that we are serious here about this issue, we want it fixed. We have already started. There is public money and, also, the support the community that clearly, I think, has determined our commitment to this -- to capping this well.

There are times of the year where when you're driving on the freeway, whether you are a person who lives in the area, or someone who is driving through, where the odor is toxic, and noxious, and very clearly discernable to those is their vehicles, particularly when the traffic is forced to stop because we have some issues there as well.

This is not a made-up problem. This is a serious problem, and it's one I wanted to make sure I came in my capacity as the state senator for this area to express my strong concerns and commitment to remediating this.

And I will also commit to the people of this community, and to you, that this issue will be one that I will be looking at front and center when it comes to budget time, and when it comes to identifying the sources, and the needs to remediate this and the other wells that are creating both environmental and health problems in our community.

Thank you.

MR. GILLIES: Great. Thank you. Jay Parker?
<table>
<thead>
<tr>
<th>Page</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>I appreciate that, those who do go down to the beach.</td>
</tr>
<tr>
<td>2</td>
<td>I -- I agree that the -- the mention of oil seepage,</td>
</tr>
<tr>
<td>3</td>
<td>calling in &quot;natural&quot; from the abandoned legacy wells when --</td>
</tr>
<tr>
<td>4</td>
<td>we do know there are natural seeps out there, but we just</td>
</tr>
<tr>
<td>5</td>
<td>want to be clear of what's -- as far as we can tell -- what's</td>
</tr>
<tr>
<td>6</td>
<td>manmade and that that is what we're trying to remediate.</td>
</tr>
<tr>
<td>7</td>
<td>And then the reference to oil seepage from the area</td>
</tr>
<tr>
<td>8</td>
<td>becoming visible approximately ten days every year, it would</td>
</tr>
<tr>
<td>9</td>
<td>be good to know where -- what that day was, you know, how</td>
</tr>
<tr>
<td>10</td>
<td>that number was arrived at. If -- if it's difficult to peg</td>
</tr>
<tr>
<td>11</td>
<td>down where exactly the oil's coming from, which is nearly</td>
</tr>
<tr>
<td>12</td>
<td>constant on the beach, how ten days was figured out that it</td>
</tr>
<tr>
<td>13</td>
<td>came from that specific well.</td>
</tr>
<tr>
<td>14</td>
<td>So we're glad it's moving forward. Hopefully the</td>
</tr>
<tr>
<td>15</td>
<td>EIR process moves forward as fast as possible.</td>
</tr>
<tr>
<td>16</td>
<td>Again, it would be interesting to find out about why</td>
</tr>
<tr>
<td>17</td>
<td>not a negative declaration. And --</td>
</tr>
<tr>
<td>18</td>
<td>But -- but all in all, we look forward to -- to</td>
</tr>
<tr>
<td>19</td>
<td>getting it done sooner as opposed to later.</td>
</tr>
<tr>
<td>20</td>
<td>Thanks.</td>
</tr>
<tr>
<td>21</td>
<td>MR. GILLIES: All right. Thank you.</td>
</tr>
<tr>
<td>22</td>
<td>Andy Neumann? Is that right?</td>
</tr>
<tr>
<td>23</td>
<td>MR. NEUMANN: My name is Andy Neumann. I'm a resident in</td>
</tr>
<tr>
<td>24</td>
<td>Summerland, and we've lived -- we've been fortunate enough to</td>
</tr>
<tr>
<td>25</td>
<td>live on the bluff, there, for 30 years. And this has been an</td>
</tr>
<tr>
<td></td>
<td>ongoing project -- problem -- for the whole time.</td>
</tr>
<tr>
<td>1</td>
<td>Seems like every five years, or so, it gets worse,</td>
</tr>
<tr>
<td>2</td>
<td>and then it -- and then it gets better. But one thing that's</td>
</tr>
<tr>
<td>3</td>
<td>really been frustrating is it's like a déjà vu all over</td>
</tr>
<tr>
<td>4</td>
<td>again.</td>
</tr>
<tr>
<td>5</td>
<td>And I just want to read from Jack O'Connell, a</td>
</tr>
<tr>
<td>6</td>
<td>letter I got -- received back in 1992. And one of the things</td>
</tr>
<tr>
<td>7</td>
<td>I'm concerned about is that the -- the Treadwell Pier is not</td>
</tr>
<tr>
<td>8</td>
<td>being addressed in this phase. And this is what he said back</td>
</tr>
<tr>
<td>9</td>
<td>then:</td>
</tr>
<tr>
<td>10</td>
<td>&quot;The three wells on beach will be abandoned first to</td>
</tr>
<tr>
<td>11</td>
<td>gain experience and determine the cost of the abandonment of</td>
</tr>
<tr>
<td>12</td>
<td>the wells. If sufficient money remains after the beach well</td>
</tr>
<tr>
<td>13</td>
<td>abandonment is completed, work will begin on the offshore</td>
</tr>
<tr>
<td>14</td>
<td>wells.&quot;</td>
</tr>
<tr>
<td>15</td>
<td>So that was 1992. And we've had, you know, numerous</td>
</tr>
<tr>
<td>16</td>
<td>efforts to -- to deal with this. And, again, as has been</td>
</tr>
<tr>
<td>17</td>
<td>mentioned, we really appreciate you taking this on. We</td>
</tr>
<tr>
<td>18</td>
<td>encourage you to do it faster. If you can figure out how to</td>
</tr>
<tr>
<td>19</td>
<td>make it a negative &quot;dec,&quot; all the better.</td>
</tr>
<tr>
<td>20</td>
<td>I just looked before I drove here, and the</td>
</tr>
<tr>
<td>21</td>
<td>Treadwell Pier, there's a slick out in the water half an hour</td>
</tr>
<tr>
<td>22</td>
<td>ago.</td>
</tr>
<tr>
<td>23</td>
<td>MR. GILLIES: Huh.</td>
</tr>
<tr>
<td>24</td>
<td>MR. NEUMANN: And then it seems like when we had the</td>
</tr>
<tr>
<td>1</td>
<td>Thank you.</td>
</tr>
<tr>
<td>2</td>
<td>MR. GILLIES: Okay. Great. Thank you.</td>
</tr>
<tr>
<td>3</td>
<td>Hillary Blackerby?</td>
</tr>
<tr>
<td>4</td>
<td>MS. BLACKERBY: Hi, there. I'm Hillary Blackerby from</td>
</tr>
<tr>
<td>5</td>
<td>Assemblymember Das Williams's office. Appreciate you having</td>
</tr>
<tr>
<td>6</td>
<td>us here today, and thanks to the folks who are here</td>
</tr>
<tr>
<td>7</td>
<td>participating.</td>
</tr>
<tr>
<td>8</td>
<td>We've -- as been alluded to from -- from Eric and</td>
</tr>
<tr>
<td>9</td>
<td>the Senator -- been engaged in this issue, and the broader</td>
</tr>
<tr>
<td>10</td>
<td>issue of the beach in Summerland for quite a while now,</td>
</tr>
<tr>
<td>11</td>
<td>trying to bring together stakeholders to finally, we think,</td>
</tr>
<tr>
<td>12</td>
<td>you know, hundred years, it's good enough. If the Cubs are</td>
</tr>
<tr>
<td>13</td>
<td>about to be in the World Series, we might as well --</td>
</tr>
<tr>
<td>14</td>
<td>SENATOR JACKSON: Don't be bitter.</td>
</tr>
<tr>
<td>15</td>
<td>MS. BLACKERBY: But -- but we might as well fix</td>
</tr>
<tr>
<td>16</td>
<td>Summerland, or attempt.</td>
</tr>
<tr>
<td>17</td>
<td>And -- and, you know, we know that if Becker Well is</td>
</tr>
<tr>
<td>18</td>
<td>-- is properly abandoned, it's not going to be a perfectly</td>
</tr>
<tr>
<td>19</td>
<td>clean beach the next day until forever. But it is</td>
</tr>
<tr>
<td>20</td>
<td>low-hanging fruit, as was mentioned.</td>
</tr>
<tr>
<td>21</td>
<td>And we really appreciate the -- the -- the work</td>
</tr>
<tr>
<td>22</td>
<td>that's been done to come up with -- coming at it from the</td>
</tr>
<tr>
<td>23</td>
<td>barge, from on the water. It's my understanding that that</td>
</tr>
<tr>
<td>24</td>
<td>would really reduce the time that it will take to get it</td>
</tr>
<tr>
<td>25</td>
<td>done. So I think that's good, and the community will</td>
</tr>
</tbody>
</table>
Refugio spill, the disproportion between the response to that and what's been going on in Summerland for so many years. I know there's a lot of reasons for that. But still, it was amazing how much effort, and time, and energy went into that. And it doesn't seem propositional, the attention we're getting, and the funds we're getting.

And the -- and I know this is probably not pertinent to the negative "dec," but it was my understanding that a Superfund was created by the oil companies to take care of these matters. And whenever I bring up the Superfund, it like, well, it doesn't apply.

And -- and I guess that's a question I have. Why -- I thought that's why it was created to -- to handle these, you know, these kind of lingering oil problems.

I'd want to thank Hannah-Beth Jackson for all of her work, and Salud's office, and the State Lands Commission. And hopefully we can successfully fix the problem.

MS. BURREL: I -- I do.

MR. GILLIES: Okay.

MS. BURREL: Can I?

MR. GILLIES: Yeah, sure. If you fill out a speaker slip, when you get a chance, or just provide your name.

MS. BURREL: Oh, my name is Sharon Burrel (phonetic), and I live in Summerland on the beach. And I'm not a speaker.

So this is all going to make me very nervous.

But I do live on the beach.

MR. GILLIES: Uh-huh.

MS. BURREL: Right on the beach. And we can't open our windows.

MR. GILLIES: Uh-huh.

MS. BURREL: It's so toxic -- the smell. When my family comes, we can't -- we haven't used the beach all summer.

This is the first -- I've lived there be for 25 years. This is the first summer not one day could we go down there.

And I -- I really just don't understand -- I'm sure other people don't either -- why this is taking so long.

MR. GILLIES: Uh-huh.

MS. BURREL: When it's not just me. It's my beautiful community. And we can't use our beach. That's it.

MR. GILLIES: All right. Thank you.

If we don't have any more speakers, I'll go ahead is go over the schedule.

So the Notice of Preparation, the end of comment period is November 7th. We plan to release the draft EIR. We -- we're in the process of -- we're hiring a consultant to help us prepare are the EIR. And we're looking at releasing it the second quarter of 2017 for a 45-day public review period. And then the Commission take action on the EIR and the Project in the summer of -- or third quarter -- of 2017.

With that, the best way to submit comments is to CEQA.comments@slc.ca.gov. If you can put in the subject line "Becker Well NOP Comments," that will help us differentiate from other documents we're -- we have under public review at this point. Or you can mail or fax to this -- our Sacramento office, attention to me, Eric Gillies.

So with that --

MS. HELLER: Are we allowed to ask questions for additional information that wasn't covered in the presentation?

MR. GILLIES: Sure.

MS. HELLER: 'Cause I think everybody in this room would like to know.

So you provided the schedule for completion of the EIR, but you haven't provided a schedule for the implementation of the Project. So what's the presumed timeline once the EIR is completed for actually implementing the Project?
<table>
<thead>
<tr>
<th>Page</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>MR. BLACKMON: Yes, that's what we've been told too.</td>
</tr>
<tr>
<td>26</td>
<td>MS. HELLER: In the budget?</td>
</tr>
<tr>
<td>27</td>
<td>MR. BLACKMON: In the budget.</td>
</tr>
<tr>
<td>28</td>
<td>MS. HELLER: Okay. So we're not going to ask the Governor to double the allocation?</td>
</tr>
<tr>
<td></td>
<td>MR. BLACKMON: We -- yeah. I mean, we -- we're looking for additional monies broadly, I mean, much more than just even the Becker Well. I mean, I -- we haven't had a chance to really sit back down with Senator Jackson's office.</td>
</tr>
<tr>
<td></td>
<td>But, you know, I -- like I said, I was the one working on this from the State Lands office. My name is Seth Blackmon. And I'm a staff counsel there. And so this is a very big deal for us. It's not just for the legacy wells but for the coastal hazards program, broadly.</td>
</tr>
<tr>
<td></td>
<td>And just, because I think people had heard and -- heard something Ms. Perkins about other coastal hazard removal program, that was a one-time grant that we got from the federal government. And there was actually, in the last few years, approximately, $100,000 left.</td>
</tr>
<tr>
<td>25</td>
<td>MS. HELLER: Is that the oil spill liability trust fund that's mentioned in the --</td>
</tr>
<tr>
<td>26</td>
<td>MR. BLACKMON: No. Strangely, not. That was actually the oil spill liability trust fund.</td>
</tr>
<tr>
<td>27</td>
<td>MS. HELLER: Because I've been told that that money is not available for the --</td>
</tr>
<tr>
<td>28</td>
<td>MR. BLACKMON: Yeah, that's what we've been told too. We're trying -- we're trying to figure out. I know. I know.</td>
</tr>
</tbody>
</table>

Kennedy Court Reporters, Inc.
(800) 231-2682

Becker and Legacy Wells Abandonment and Remediation Project Draft EIR
May 2017
Steve could talk more to this, too -- when we were trying to
do the original budget requests, we were going on sort of
limited evidence to try and get money out there.

And, you know, there -- this is not -- just so
everybody understands, again -- this isn't the first time
we've tried this. We've actually been actively working on
this. Steve has been working on this since the '90s.

So to -- much to our own chagrin, same what you guys
feel, we have been trying to address this with very little
success.

So the BCP that -- that was entered into the budget
that the Governor approved was a huge deal for us, but,
obviously, we underestimated the cost of getting the work
done.

And we've had some wonderful folks that -- in your
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.

Some of the discussion about Treadwell Pier, and
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.

Some of the discussion about Treadwell Pier, and
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.

Some of the discussion about Treadwell Pier, and
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.

Some of the discussion about Treadwell Pier, and
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.

Some of the discussion about Treadwell Pier, and
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.

Some of the discussion about Treadwell Pier, and
community, including the representatives from -- from
Das Williams's office, and from Senator Jackson's office,

Hilary Hauser with -- with Heal the Ocean.

And so we're all trying to kind of work here. And
some of this may end up being, in the interim, to expedite
the process, kind of a collaborative workgroup where we're
going to bootstrap some of this. And if we can find
additional funding, we'll do that.
MR. BLACKMON: So -- so -- he's talking about some contracting issues. I think that's less of an issue for right now. We were committed to kind of moving this forward anyway.

What the benefit for everyone to know here is that the new contracting operation that -- that State Lands Commission and other state agencies are working on allows us to move into contracts to move this forward a lot more quickly than it would normally be able to.

Instead of having to go out for a long bid process, and then go through a significant round of interviews, and -- and everything else, we were able to truncate that process so that we're -- we actually are working on finalizing our agreements with our preferred contractor now. So this can get started pretty quickly.

And then we'll draw on a lot of the work that's been done by State Lands Commission, County of Santa Barbara, and others, for a lot of the background setting. So that shouldn't be -- we -- we're not starting fresh there. Like I said, a lot of this will be expedited. But that's kind of the big picture for it.

And, like I said, there -- we are very much back to the drawing board on when we can actually start remediation operations. Because this is not the kind of thing where we can do a phase one, go out there and do a little work, and

then --

MS. HELLER: Right.

MR. BLACKMON: -- just leave it until the next budget cycle.

MS. HELLER: So imagine a scenario in which we get lucky -- and I think this community will work hard to make this happen -- and are able to find the 1.4 -- the missing 700,000 --

MR. BLACKMON: Sure.

MS. HELLER: -- we don't have, because you do already have 700,000 allocated. Let's say that's added to the budget change proposal.

When can and would you go from EIR to Project?

MR. BLACKMON: If that would all happen -- so -- so if we had the money in place --

MS. HELLER: Right.

MR. BLACKMON: The traditional way that the State Lands Commission does this is that they will certify the EIR and approve the project same day.

So it could be within, you know, a matter of -- of working out with the potential consultant, and -- and ultimate engineering group that's going to be doing the work, what their -- what their window is. But it -- it can be very fast.

MS. HELLER: Well, knowing that most budget change proposals happen as part of the budget cycle, so we're looking at May or June.

MR. BLACKMON: Right.

MS. HELLER: Right? Of 2017?

MR. BLACKMON: Exactly. Which is how this sort of also ties in --

MS. HELLER: Right.

MR. BLACKMON: -- right now.

MS. HELLER: Okay. So let's imagine, in a wonderful scenario where that happens, are you limited by tides and weather? Or, let's say the money comes in. Would you be able to move fairly quickly after that?

MR. BLACKMON: Fairly quickly. I mean, I think there would be some assessment from the engineering group and the specialist about what would be appropriate, in terms of potential storm events and other things that would be disruptive.

But there's nothing that stops us from actually starting the work, mobilizing, getting the final work plans together. And when you actually have infrastructure on the beach doing the work, that's going to be a little bit of a fix.

MS. HELLER: Uh-huh.

MR. BLACKMON: But, obviously, there -- it's limited just by nature, and limitations on the potential engineering crew, and everything else.

MS. HELLER: Because with the -- the dig out and more traditional efforts to deal with Becker Well had -- had been limited by these (inaudible) tides.

MR. BLACKMON: Yeah.

MR. CURRAN: Right.

MS. HELLER: And then I -- I gather there was some discussion of even having to wait until 2018 for post-storm.

Is that a factor?

MR. CURRAN: Yes.

MR. BLACKMON: Yes, it's a factor.

MS. HELLER: Okay. So could well be --

MR. CURRAN: The best case is early 2018 because you're going to have to wait for high tide. All the -- all the storm stuff that you talk about, excavating on the beach, goes out the window.

MS. HELLER: Okay.

MR. CURRAN: Because now it's a marine-based operation.

So you have to --

MS. HELLER: So you need higher tide rather than lower.

MR. CURRAN: Yeah. But --

MS. HELLER: Okay.

MR. CURRAN: But the highest tides are during that cycle too.

MS. HELLER: Okay.
MR. CURRAN: But -- the lowest tides. And the storms.
So what happens is you need a bathymetry survey --
MS. HELLER: Of 2018?
MR. BLACKMON: And this will all be elaborated on in the
EIR. So, you know, as we're get into this, and we're digging
into the details, this is what we fleshed out for everyone to
kind of look at.
And I think it's open question. So, you know, the
more data we have, and the more, sort of, cooperation the
better. I mean, this really becomes that collaborative
effort. So --
MS. HELLER: But you can hear this community
wants (inaudible) --
MS. HELLER: And if not --
MR. BLACKMON: Yeah. Well, and a lot of it is that we
wanted to get started on this. We could have waited, you
know, because we don't have the ability to start the Project
remediation. But we just -- that didn't make sense to us.
We want to get this done. We want to get the -- the
certification of the document and it have it ready,
understanding that we don't have the money now.
You may not have it when we're done with this. If
we do, fantastic. Let's move into the next stage and start
the work. But -- so all of the descriptions, and the
potential impacts, the start dates, and --
MS. HELLER: Uh-huh.
MR. BLACKMON: -- you know, proposed end dates, and how
this is going to -- will all be explained in the -- in the
EIR.
MS. HELLER: Thank you. And we appreciate that.
MS. CAWTATH: I just -- a quick question.
What's -- what's the shortfall we're looking at?
(MR. BLACKMON: 700,000.
MS. CAWTATH: 700,000?)
MR. BLACKMON: Yeah.
MS. CAWTATH: Okay.
MS. PERKINS: Just a logistical question. We're doing
some work, and the community's working with Parks Department
on revitalizing and doing some -- changing the local Lookout
Park --
...
MS. PERKINS: Thank you.

MR. BLACKMON: Hillary, you had a question?

MS. HAUSER: I'm just wondering for the -- for the group. We tried for an OPC grant --

MR. BLACKMON: Uh-huh.

MS. HAUSER: -- last time around. And -- and what was the final word on -- from Jane Gray (phonetic) about trying again in the next round, in terms of --

MR. CURRAN: Okay. What --

MS. HAUSER: -- piecing together --

MR. CURRAN: What killed us on that was we didn't have the EIR ready. We had to have the EIR completed by February of last year.

MS. PERKINS: By the end date; right?

MS. HAUSER: But the next round.

MR. CURRAN: Well, or -- or the mitigated negative "dec."

So we weren't even close to that.

MR. BLACKMON: Right.

MR. CURRAN: We didn't have enough funding.

MS. PERKINS: Okay.

MR. CURRAN: So that's a two-year cycle.

MS. PERKINS: Okay.

MR. CURRAN: So that comes around not this November but next November. We will apply again.

MR. BLACKMON: Yeah. It's a way to, you know, continue to seek potential funds if we don't have any.

MR. CURRAN: Yeah. We will apply for that grant every time it comes.

MR. BLACKMON: Right.

MR. CURRAN: And we apply for that and the coastal hazards projects -- other things we do --

MR. BLACKMON: Yeah.

MR. CURRAN: -- also. There's a lot of applicants for that.

MR. BLACKMON: Yeah. A lot of competition. Yeah.

MR. CURRAN: And I think that the total amount disbursed is about 3 million, and the most you can hope to get out of that is in the neighborhood of 250- to 300,000.

MR. BLACKMON: Right.

MR. CURRAN: Because they spread the money out amongst all the applicants.

MS. HELLER: And we don't lose the 700- that's already been allocated?

MR. CURRAN: Exactly. No. That's --

MS. HELLER: It sits there and waits until we can find the rest of the money?

MR. BLACKMON: That's right.

MS. HAUSER: And the total -- so 700- plus -- what's the total?

MR. CURRAN: Plus 700 -- so --
California, which is why we're trying to go pick this up. It's -- we have jurisdiction over everything water-ward, I mean, high tide line. We're not -- although we have incredible engineers, we're not necessarily the agency that's responsible for doing these types of abandonments. That's the, like I said, the Division of Oil, Gas, and Geothermal Resources.

But we -- we see this as a problem, obviously. We've heard people. And we're trying to find solutions. We have been for some time.

You know, there -- it's DOGGR, the -- the -- they're having similar problems to us. They have a very limited what they call orphan well fund. And they've been fighting the -- the good fight with the Governor's office and everyone else trying to get an increase in funding as well. But they haven't been successful.

So the Governor's veto message was to indicate that DOGGR needs to work with the State Lands Commission, see what we can do. Between the two of us, we don't have any more money. So this is going to be really difficult because that's really been the limitation.

But, yeah, I mean, at the end of the day the responsibility lies with the State of California. And so we're hopeful. But that's -- that's the unfortunate history of. And there's a lot. There's a lot of them.

So we still need that support. Your -- your local legislators need that support. I mean, that's how we're going to get this done. And eventually it'll -- it'll make its way up the chain.

And, you know, maybe next time, either a different governor, or this Governor hears it differently. You know, so we're hopeful. But that's -- that's the unfortunate limitation that we're stuck with.

MR. NEUMANN: I -- I think it's obviously ironic that requiring a negative declaration, and the time it takes is a

negative impact. Because it's leaking everyday.

MR. BLACKMON: Well, yeah. So there's --

MR. NEUMANN: So --

MR. BLACKMON: There's a fair question to that. And we could -- we could -- we could say that, yes, there's an ongoing leak. The -- the -- and that's true. That's the baseline situation.

The problem is that actually getting in and serving the well, opening it up so that we can go in and properly reabandon, may actually enhance the -- the leakage. And we want -- we -- we have to have a plan for that in place. The "neg dec" would say, "Well, that would never happen." So you're not planning for it.

So part of the EIR and the mitigation measures associated with that potential spill --

MR. NEUMANN: Yeah.

MR. BLACKMON: Have to be built in and -- and prepared for.

MR. NEUMANN: Okay. And then it concerned me when you said we need to go out there with divers. It seemed to me 10 or 15 years ago --

AUDIENCE MEMBER: 20.

MR. NEUMANN: -- there were divers out there for quite some time. There was all sorts of work going on out there. And so, I apologize for not following this more

make a difference by way of legislation and/or appropriation of the money for these types of activities going forward. Which is, like I said, SB 900 was our starting point.

And I thought, really, it was a great pilot or test project because the idea for this was let's build out. Let's show what we can do with Becker Well. Let's show how it works. Let's continue to add to the data that's out there because it is a huge gap area in the scientific community for this stuff.

And then we can always go back and -- and through, basically, exhibiting a proof of concept on how well this worked on Becker Well, let's go to the next. Let's try to prioritize the larger legacy fields that we've identified in SB 900 that our engineers really worked hard to assess the history of. And there's a lot. There's a lot of them.

And, you know, maybe next time, either a different governor, or this Governor hears it differently. You know, so we're hopeful. But that's -- that's the unfortunate limitation that we're stuck with.

MR. NEUMANN: I -- I think it's obviously ironic that requiring a negative declaration, and the time it takes is a

closely, but it just seems like a déjà vu all over again, like these things keep coming up and --

MR. BLACKMON: There -- there -- there is -- there is some redundant work. But -- but it's partly because the changes and how -- first of all, things were GPS' d and done now, versus historically. So there were things that were looked at historically.

And the dive, I think probably Steve can talk to you about that a lot more because he was actually there at that time doing it.

MR. CURRAN: Okay. So -- so the -- so the dive not only was to assess all the (inaudible) --

THE REPORTER: I'm sorry. Sir, if you could kindly speak up. I have to hear.

MR. CURRAN: Okay. The -- the survey work that was done in 1994 was done not only to assess the -- the pier remnants -- and it was leaking oil. So there weren't problems out there -- but it was also done to tie the 1909 street map of Summerland into the pier zone because all of that was not well-known, or GPS' d, or -- or done properly.

So that's one of the things that came out of it. Plus they did identify the Becker Well. So -- and it identified eight other critical targets that they dove on. And Treadwell 10 was one of them. And -- and two of them were seeps. And others were pier remnants or a tar cap.
So there has been another dive done in the early 2000s, privately funded, for Treadwell 10 specifically. But since then there's -- there's been no diving.

So I've noticed, in all the time I've worked on it in the last 30 years, that it looks like it's more active out there. There's more seepage. There's more oil on the beach. And it's not just seasonal. Just in general, the baseline is higher.

So that leads me to believe that something else could be leaking out there. Or the seeps are a little high. Something else is different that's happening. So that's the quality of -- of getting, you know, an -- an updated dive survey.

But it would be a lot more specific this time. That first one was done as an area-wide dive, and it was gridded out, the whole beach of Summerland, and the whole area out, and covered all the piers.

That's why we do aerial surveying first and look at point sources from the air --

MR. BLACKMON: Right.

MR. CURRAN: And then do specific target diving and -- and find out: Is it a seep? Is it a well? Is it -- is it near a well? You know -- (inaudible).

MR. CRABBE: How can you tell if it's a seep or a well if the wells are leaking, and the stuff goes sideways -- the ocean bottom. Okay.

And there is no reservoir seal for all of that area. So that will seep out, and you'll see it. Now --

MR. CRABBE: Well, I've been there 40 years, and I'll tell you. I used to go to the beach all the time. I'm a commercial fisherman -- had been a commercial fisherman. And I've lived there for 40 years. And it was beautiful, pristine. No oil seeps.

And I'm out in that water for years and years, and I still am. And I know there was no oil seeps for 15 or 20 years that I lived here -- first 15 or 20 years that I lived here.

MR. CURRAN: How long --

MR. CRABBE: I didn't see any --

MR. CURRAN: How long ago was that?


MR. CURRAN: Yeah. We did -- we did work out as there as early as the '50s. So there was a lot of work that happened in the late '60s where they capped a bunch of the wells with surface caps. So that probably affected what you were seeing. That had a real positive effect at that time.

MR. CRABBE: All right -- sure did.

MR. CURRAN: So they were out there --

MR. CRABBE: (Inaudible) -- nice -- (inaudible).

MR. CURRAN: If I -- if -- if you get my information,
living with a toxic beach town. Our town is toxic right now. And you mentioned the temporary measures that you did in the 70s; was it?

MR. CURRAN: Well, those weren't temporary measures. Those were out with divers and -- and with a -- and with a few -- (inaudible).

MR. PARKER: Because we're going to need -- we're going to need some sort of stopgap for the next three, to four, to five, to ten years. And you mentioned Jack O'Connell.

MR. CURRAN: Jack O'Connell --

MR. PARKER: That's a '92 -- correct.

MR. PARKER: So we need to do some sort of temporary stopgap measure.

MR. CURRAN: Well, remember, on the dive survey in 1994, we only came up -- there's nothing visible. Those -- those have been taken care of in 1960. So that -- so we can't fix the problem that doesn't -- that's not visible or doesn't exist. There's nothing that manifests itself now.

So those 60-or-so wellheads or -- or -- or caps where they had plates, were -- were taken and had cement put in, and recapped, and cut off, and they're not visible anymore.

So the only thing we do have out there is, of course, Treadwell 10. There's a whole backstory that why they don't that. There -- there's a lot of scientific evidence to -- to come up with something better before you try your fifth attempt on that well. Because it sits right in the Ortega Fault zone.

And even if you pump cement around it, like you have previously, the previous times, it stays quiet for about six months. And then as soon as the earth moves a little, it -- it'll --

MR. BLACKMON: Yeah.

MR. CURRAN: -- lose again. And so it -- it comes up around.

So you've got to get a specialized type of cement that you think can work for a long period of time, kind of like a bell hole, back in what they used in Long Beach. And they don't really have anything -- the have some things that they've tried with gas wells. But if there's nothing, that's a fantasy, you know, engineering.

MR. BLACKMON: And the other thing about the '60s, early '70s, is that CEQA wasn't in place. It didn't come out until the '70s.

So it's -- it's a great thing, but it does work against being very quick on certain types of actions. Most of the time it would be fine if it was a purely beneficial impact. We could just say it's, you know, it's not going to be a problem. It doesn't trigger CEQA.

But when you're dealing with -- all the oil wells have to be reopened and reabandoned, there's -- there's always a big risk associated with that. And I'm not talking like a Gulf Coast blowout. That's not the -- that's not the problem. But you have a much higher likelihood offshore for spill because of the difficulty of controlling the immediate environment.

And so --

MS. HELLER: If you think we're mad now, think how much madder we would be if you guys did it wrong.

MR. BLACKMON: Yeah. I mean, and -- and there are problems associated with that. Or if it -- yeah. Or if it exacerbated some problem down-hole because you're in a hurry to just try and, you know, throw something on it. So --

And -- and part of this is, like I said, is -- is not -- it's not insensitivity to the timeframe. We just --

we need to do the data the -- the best way that we can because it's going to provide, hopefully, the framework for subsequent work, not just in Summerland but other places that have problems with these legacy wells.

So, you know, if we -- if we kind of do a one-off, and we don't take the time to do the -- the protocol right, it's going to -- it's going to impact us in the -- in the long.

And Becker Well, while it's a problem, it's not -- it's not the core of all the problems on Summerland Beach. I mean, it's one visible one. But, clearly, the slicks that are out there that we get reports on from our inspectors are not being caused exclusively by the Becker Well.

But that's one we've identified. We know it's leaking. And, you know, it's actually something we can address. It's still very difficult. I mean, just to put this in perspective, and I'm not trying, you know, throw anyone off, but, you know, inland --

Take Kern County. And I'm not talking about for environmental reasons. But you're in the middle of the county, flat plains, it -- you know, down on -- on the -- in the valley floor, abandoning an oil and gas well that's even a -- a deep oil and gas well costs a fraction of what it costs to work in -- in the marine zone.

Not to mention there's a lot of people in the oil and gas industry who are engineers who don't want to work in the marine zone because of the potential risks.

So you have a smaller pool of people who, one, I think are capable of doing it and have the experience, and,
two, the ones who are willing to actually get out there and participate in way that’s meaningful. So, you know, an abandonment that costs 200-, $250,000 inland, it’s going to be a million-plus on the coast because of where -- in -- in the surf zone -- and go up from there. And -- and so that's always a limitation in terms of just funding.

Yeah?

MS. HAUSER: I -- I'd like to -- in my way of thinking, (inaudible), we know that Becker isn't the only thing. But we know it’s there. MR. BLACKMON: Yep. MS. HAUSER: And we know that if we do something about what we know, it -- we've done one thing. And so back to money. Money. It's all about money. If the -- if CEQA is done in time to apply to (inaudible) for 200,000, (inaudible), then we have a balance of 400-, or whatever. And between now and then, I think our job is to go -- or my job, or somebody's job. Our job is to go find the rest of the money to start on Becker by the time CEQA's --

MR. BLACKMON: Yes. MS. HAUSER: -- done. MR. BLACKMON: Yeah. And that's -- yeah. That's the collective --

MS. HAUSER: I think that's the challenge -- MR. BLACKMON: Yeah, that's the collective effort. MS. HELLER: Well, and part of the challenge, and maybe it would help to explain a little bit to people how California government works.

So our budget is on an annual cycle. And it's unusually voted on in June. MR. BLACKMON: Yep. MS. HELLER: So, you know, usually you can't submit a budget change proposal and have it acted on within the 12 months at random. It has to be --

MR. BLACKMON: Yeah. MS. HELLER: -- approved every year annually. So that slows things down. So we can't go back to the Governor now and in October and say, "We need this money now." It's not going to be happening, assuming you have the middle -- until June. So that --

MR. CURRAN: But -- but we already did.

MS. HELLER: We -- yeah. I mean, you can submit it. But you're not going to get -- I mean, we got what we have already.

MR. BLACKMON: Right.

MS. HELLER: But to get more, we're not going to get it now. We have to wait for the next --

MR. BLACKMON: Right.

THE REPORTER: I'm sorry, miss -- I'm sorry. Sorry. Would you mind repeating what you just said? I couldn't hear.

MS. PASINI: I was curious if anybody had applied or discussed with County getting funds out of the Coastal Resources Enhancement Funds.

MS. PERKINS: Doesn't meet the criteria for that.

MR. BLACKMON: We've -- we've heard that from a couple of different things we've looked at. And, you know, there -- there are -- there are potentially options out there, but, you know, a lot of it is whether or not it fits inside the appropriate box for a lot of the funds.

MR. CURRAN: You need restoration of wetlands, and some of the things like that. And we tried this year, and -- and we didn't meet the criteria. We didn't (inaudible).

MR. BLACKMON: And there have been broader discussions that -- that I've been involved in on kind of the -- the - tangentially. I know that the -- that the DOGGR has looked for funds. I know they've talked with folks from the federal government seeking funds.

I mean, I think that some of the expectations are -- and that's been something that I've heard. This is all hearsay. But that's something that I heard was -- was sort of directed by -- the Governor was trying with the federal government for this.
But, you know, I mean, and from what I’ve heard, again, you know, I think the federal government has been very clear. They’re -- they’re prepared to respond as necessary because that’s the primary role. But they’re -- they’re not here to piggybank for the State of California. We -- we have our own issues. We have to address them. And we’re trying. You know, I mean, this isn’t -- this isn’t kind of something where we get to kick off. And the larger point that -- that Lee just put out there is that, you know, what we’ve tried to do for the State of California through the State Lands Commission, and we’re still fighting this fight, separate from just Summerland, is somebody mentioned, sort of, the Oil and Gas Superfund. I’m not aware of it. But we are trying to do, you know, for, like, the Long Beach unit, for example, we have -- there’s a huge operation on the THUMS Islands down in Long Beach. There’s a sinking fund that they pay into that is statutorily capped at 300,000 -- or 300 million dollars to abandonment wells. The abandonment cost for that particular field that would fall to the State of California are well in excess of 600 million. So there’s a 300 million shortfall. We’ve continued to try and get legislation to appropriate money from the Long Beach unit production so it continues to increase accordingly with the ongoing increases in -- in abandonment costs.

We haven’t been successful. I mean, we -- we put legislation forward just like -- like Senator Jackson does. And we sponsor it, and we push for it. The Controller, the Governor push for it. And it -- it goes nowhere. Either it dies in Appropriations because of money issues, or there’s a veto from the Governor. So, yeah, I mean, as Lee said, this is sort of the -- the shortfall of the government. There is a degree of responsibility that the State of California generally owes the people because, you know, the State was benefited by revenue, and other things from the oil companies, but there was no residual fund built out for potential downstream issues. And that’s -- that’s a larger -- it’s a larger conversation that people have. And -- and, you know, it’s just -- it’s about consolidating that conversation, and getting everybody on board, and pushing for it. MS. HELLER: And I will add so people aren’t getting too discouraged. Because I don’t want people to go, “Oh, well. This is hopeless. Let’s give up.” When the -- was it Andrea and Steve Fishback (phonetic) who first saw the -- the pipe sticking up? This is 2011.

AUDIENCE MEMBER: Right.
we got that done in the spring of this year, and that's what
that was a big -- a big deal because that's where we were
able to get the information to come up with the plan for the
full abandonment, which we had Interact prepare for us, and
there. There are pots of money around somewhere. We just
have to find them. Or rob a gas station.

(Laughter)

MS. HELLER:  Yeah. And without our oil severance tax in
the State of California, we wouldn't have a revenue source to
deal with.

MS. HAUSER:  That's true.

MS. HELLER:  So lobby the Governor to -- to approve
(inaudible).

But more -- more importantly, is everybody on the
Summerland Citizens Association e-mail list to get
information about these kinds of things? Because that's out
address because knowing what's going on and speaking up when
you want something is how it happens.

MR. GILLIES:  And also, when we did Phase 1 last October,
that was a big -- a big deal because that's where we were
able to get the information to come up with the plan for the
full abandonment, which we had Interact prepare for us, and
we got that done in the spring of this year, and that's what

we used as our project description.

And then, also, I just want to -- in -- in the
process, too, once we get CEQA, once the document's
certified, we also have a lot permits to get.

MR. BLACKMON:  Yeah.

MR. GILLIES:  So that's going to take some time too. We
worked with the agencies last October, and they really
streamlined that for us. But it will take some time. We
will need Coastal Commission permits. Other state --
MR. BLACKMON:  Local. We'll need the Park.

MR. GILLIES:  Park.


MR. GILLIES:  So that will take time too. But --
MS. HELLER:  I think we're okay on that.

(Laughter)

MS. PERKINS:  Yeah. We're okay on that one.

MR. BLACKMON:  Yeah. County of Santa Barbara
(inaudible).

MR. GILLIES:  But once we get the document certified,
then -- and the urgency -- it should go fairly quickly with
the permitting. But that's just another step that we'll have
after our Commission certifies and approves it.

MS. HAUSER:  We need 400 people, a thousand each.

MS. HELLER:  There you go.

MR. BLACKMON:  Yep.
regular update, and doesn't feel like they're getting it, and
wants to be added to the Summerland Citizens Association
list, I can take your e-mail address and add you because I --
Whenever something like this comes along, I just
shoot out an e-mail from the SCA because it's their
organization that really speaks for the community. You don't
have to live in Summerland to be on that.
MR. BLACKMON: Well, thank you, Lee.
MR. GILLIES: All right. Well, thank you.
THE REPORTER: Are we done?
MR. GILLIES: Yes.
THE REPORTER: Thank you.
MR. GILLIES: Thank you.
(Meeting concluded at 3:14 p.m.)