



**environmental**  
DEFENSE CENTER



Laurie Bailey Photography

## SPRING 2016 NEWSLETTER

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### LEARNING LESSONS AGAIN AND AGAIN

The devastating Plains All American Pipeline oil spill at Refugio, which did so much damage to marine life, sea birds and more than 150 miles of coastline, served as a tragic reminder of the risks surrounding us every single day. While it may come as a surprise to the many thousands of tourists who spend their vacations and more than 2.5 billion dollars to visit “paradise” each year, oil development has long threatened the communities and environment of Ventura, Santa Barbara and San Luis Obispo Counties. Last May’s spill reminded us how vulnerable our region is to losing this major revenue source – not to mention the clean surf and healthy environment that each one of us depends on every day.

Unfortunately, if the spill was a wake-up call, it seems many would prefer to stay asleep. While the low global price for oil may have slowed some oil projects, they have not gone away, and many risky projects are still moving forward quickly. In fact, Santa Barbara County could almost double the number of active onshore wells in the coming years. This relative flood of new project applications consists largely of cyclic steam injection oil development, during which tremendous quantities of water are superheated and pumped underground to loosen hard-to-access oil. Ventura County faces continued threats from unchecked fracking and acidizing in both urban and rural areas. San Luis Obispo is being threatened by the dreadful prospect of the expansion of the Phillips 66 oil refinery, to accommodate weekly, multiple trainloads of tar sands oil traveling across our region.

And of course, in spite of the clear lesson that the Plains All American disaster offered about risks from oil to the Santa Barbara Channel, Venoco is still pushing multiple proposals for new and expanded offshore and coastal drilling. First on the list would be expanded oil drilling off Platform Holly, the platform nearest our shores and easily visible from UCSB and Goleta. This new platform drilling shouldn’t even be an option, as the rights to accessing this oil field were surrendered decades ago. But Venoco is pushing for this project and using it as an excuse to keep in operation the unsightly and dangerous Ellwood Onshore Facility to process the oil right next door to the Bacara Hotel and our precious Ellwood Mesa, a favorite EDC saved place.

As Ventura, Santa Barbara and San Luis Obispo Counties move to the future with expanded renewable energy -- through Community Choice Energy and with rooftop and large scale solar set to play a larger and larger role in meeting our energy demand and combating climate disruption -- we need to actively push back against an expansion of risky 19th century energy sources. As we look back over a year at the devastating oil spill, it is time to learn from the mistakes of the past and recommit ourselves to protecting our vital communities and environment along the tri-county area.



Venoco is pushing multiple new oil drilling proposals which include resuming production from Lease 421 off the Ellwood Pier as well as new drilling offshore from Platform Holly. Photo by Erin Feinblatt



## FRACKING AND ACIDIZING

Acidizing and hydraulic fracturing (fracking) are both dangerous oil production processes involving the injection of large amounts of water and chemicals into the ground to extract oil and gas. Fracking utilizes sand, water and an unknown cocktail of chemicals at high pressure to fracture formations, while acidizing depends upon the use of highly toxic hydrochloric and/or hydrofluoric acids to dissolve rock. These technologies have been linked with numerous environmental and public health concerns as well as seismic activity and groundwater contamination in other areas.

In the Santa Barbara Channel, fracking and acidizing have been taking place in an area that has been called “North America’s Galapagos,” due to its rich biological diversity and numerous threatened and endangered species, including blue, fin, and humpback whales, and the southern sea otter. Additionally disturbing, under permits issued by the Environmental Protection Agency, oil companies are allowed to discharge billions of gallons of oil and gas wastewater, including used frac fluids, directly into these rich marine waters.

# EDC WINS MAJOR VICTORY AGAINST OFFSHORE FRACKING AND ACIDIZING

## EDC VICTORY - 2016

In February 2016, EDC won a settlement agreement requiring federal agencies to conduct the first ever, comprehensive environmental review of acidizing and fracking from oil platforms off California's coast. The settlement also requires a moratorium on approval of new drilling permits until this review is completed, and directs the agencies to develop a public website to post applications in order to ensure public transparency.

Since this date, the agencies have released their draft Environmental Assessment as required. This early study is significantly lacking in several important ways. EDC has submitted comments and is considering next steps to ensure that the environmental impacts of fracking and acidizing are fully considered before any decisions are made.

## EDC TAKES ON THE FEDERAL GOVERNMENT - 2014

In late 2014, EDC filed the first ever lawsuit against federal agencies for failure to provide environmental and public review prior to approving an additional 51 oil drilling permits authorizing the use of acidizing and fracking from platforms in the Santa Barbara Channel. EDC's suit claimed that the agencies were required to conduct an environmental review for any action that may result in significant environmental impacts; instead, the agencies had essentially been rubberstamping permit applications. While EDC's lawsuit was filed against two federal agencies, both ExxonMobil and the American Petroleum Institute joined the suit against EDC.

## A COMPREHENSIVE REPORT - 2013

In 2013, EDC published the groundbreaking report, Dirty Water: Fracking Offshore California, providing the first comprehensive look at how oil companies conducted fracking operations off our shores for years without proper review. Our report, based on records obtained through an extensive Freedom of Information Act request, identified at least 15 specific frac jobs that had occurred from multiple oil platforms in the Santa Barbara Channel, and called for a moratorium on all new fracking permits until a thorough environmental review could be conducted.

## EDC DISCOVERS OFFSHORE FRACKING - 2011

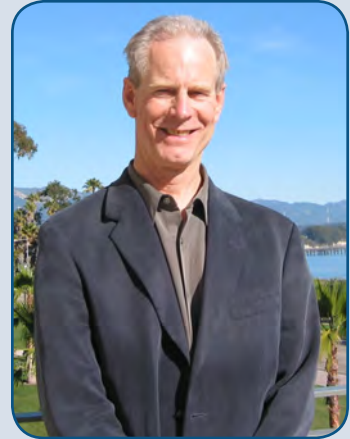
In 2011, EDC uncovered the fact that Venoco had fracked from an oil platform off our coast, spurring us to dig deeper to determine if more fracking operations had happened, or were planned, by any oil companies in the Santa Barbara Channel.



## WHAT'S HAPPENING NOW

### GROWING LEADERSHIP – EDC GETS NEW BOARD MEMBERS

EDC has always been lucky to have some of the most talented and passionate members of our community serve on our Board of Directors. We are excited to announce that our roster has now grown with the additions of Dennis Allen, Dave Davis, Sally Semegen, and Renner Wunderlich. Dennis is the founder and chairman of the board of nationally-recognized Allen Construction and one of the pioneers of the green building movement. Dave brings over 45 years of experience in environmental matters and served as Board President and CEO of the Community Environmental Council. Sally is a trustee with the Roger S. Firestone Foundation, bringing a strong marketing and business background. And Renner is an Academy Award winning documentary film-maker shining light on social justice, labor history, and domestic violence issues. All of these individuals have a long history of using their considerable skills and expertise to benefit our local environment and we are honored to have them on the EDC team.



### REFUGIO OIL SPILL – ONE YEAR AFTER



More than a year after the Refugio Oil Spill, EDC continues to work to ensure our coast and ocean are fully restored to pre-spill conditions. Photo by Mauricio Gomez, Earth Island Institute

It is hard to believe it has been a full year since Plains All American's pipeline 901 ruptured on May 19, 2015, causing the Refugio Oil Spill. EDC staff, led by our Chief Counsel, Linda Krop, continues to lead the way to seek greater protections from future spills and to ensure our coast and ocean are fully restored to pre-spill conditions. This latter process is known as the Natural Resource Damage Assessment, during which information is gathered and public comments received on impacted areas in need of restoration or compensation. EDC produced a handy guide to this process and how the public can participate, available on our website. Meanwhile, pipelines 901 and 903 remain shut down, also causing seven offshore oil platforms to be inactive. EDC continues to work to ensure these pipelines are held to stricter state standards before resuming operation so future disasters are avoided.

## **SOUTH MOUNTAIN – OIL AND WATER DON'T MIX**

Continuing our efforts to reduce water pollution from large onshore oil and gas fields, EDC filed a lawsuit against California Resources Corporation (CRC) for violations of the Clean Water Act at its 5,757-acre South Mountain oil field, where it conducts oil exploration and development activities. Located near Santa Paula, the facility's storm water runoff drains to the Santa Clara River and Calleguas Creek watershed. For at least the past five years, CRC has consistently reported storm water runoff containing pollutants at levels that exceed legal limits and pose risks to fish, wildlife and human health. CRC is the state's largest oil and gas producer on a gross-operated basis, and despite recording exceedances of pollutants, they have failed to take action to remedy the pollution.

**"The storm water pollution from the South Mountain oil field threatens water quality in two important Ventura County watersheds, both of which drain to area beaches."**

**- Brian Segee, Senior Attorney**

## **MAKING STRIDES FOR CLEAN WATER**



EDC's Clean Water Act settlement with General Magnaplate will result in reduced polluted storm water runoff from the facility entering the Santa Clara River and Pacific Ocean.  
Photo by Maggie Hall

EDC and Keller Rohrback L.L.P. reached a settlement with General Magnaplate to address polluted storm water runoff from its Ventura electroplating facility. General Magnaplate's own sampling data for the past five years demonstrated excessive amounts of iron, zinc, aluminum, and other pollutants in storm water running into the Santa Clara River, less than two miles from where it flows into the Pacific Ocean. The Santa Clara River was listed in 2005 as the 10th most endangered U.S. waterway and remains home to as many as 17 threatened or endangered species, including the Tidewater Goby, California Red Legged Frog, Arroyo Toad, Southern California Steelhead and others.

Under the settlement, General Magnaplate has agreed to ensure that its storm water runoff does not contain high levels of pollutants. In addition, the corporation will contribute \$15,000 to the Rose Foundation for Communities and the Environment to be used for future improvements of water quality in the Santa Clara River watershed.

## WHALES & SHIPPING – MAKING MOVES



Completing a year-long process, a diverse working group has put forth a number of suggestions on how to address fatal ship strikes on whales and air pollution from ships. Photo by John Calambokitis

In March, the Channel Islands National Marine Sanctuary Advisory Council successfully completed a year-long working group effort to address two critical environmental issues in the Santa Barbara Channel: fatal ship strikes on whales and air pollution from ships. EDC co-chaired the working group, bringing together key stakeholders to identify solutions to protect whales and reduce air pollution and greenhouse gas emissions, while supporting economic industries that rely on a vibrant coastal and marine environment. A number of spatial management and technological advancements were identified by the group as viable solutions. These ideas were presented to the Council, with the goal of informing critical management decisions. Ideas include extending the Santa Barbara Channel Traffic Separation Scheme (shipping lanes) to avoid whale hot spots, developing a recommended route south of the Channel Islands, and expanding the current Area To Be Avoided, among others. For a more detailed description of the process and outcomes visit our website.

## LINDA KROP - WOMAN OF THE YEAR

In March, EDC's Chief Counsel, Linda Krop, was recognized as Woman of the Year by both Senator Hannah-Beth Jackson and Assemblymember Das Williams, in part due to her tireless work leading the charge in response to the devastating 2015 Refugio Oil Spill. Assemblymember Williams chose Linda as his district's honoree for the California State Assembly's annual Woman of the Year Ceremony held in Sacramento, and Senator Jackson honored Linda as one of her four 2016 Santa Barbara County Women of the Year honorees at an intimate celebration in Santa Barbara. We also hosted a lovely gathering in our downtown courtyard where more than 100 supporters came together to celebrate and say thanks to Linda for her unwavering hard work for our community. "I can think of no better example of a principled, brilliant and tenacious woman than Linda Krop," said Williams. All the staff and board members at EDC couldn't agree more!

Assemblymember Das Williams and Senator Hannah-Beth Jackson both honored EDC Chief Counsel (center) as Woman of the Year.



## RANCHO LA LAGUNA : SUBDIVIDING AG LAND



Subdividing this beautiful 3,951-acre property would have significant impacts on the rare wildlife and plant species, and be a huge loss of agricultural land. Photo by Mark Oliver

A 3,951-acre agricultural property located in the Santa Ynez Valley north of Foxen Canyon Road is proposed to be subdivided into thirteen parcels ranging from 160-600 acres and ultimately developed with upscale estates. The land—full of rolling hills, deep canyons, and oak forests—is home to incredible biodiversity. Eighty-four rare animal and plant species call this quintessential Santa Barbara County landscape home, and coexist side-by-side with cattle grazing and farming. Splitting this land into smaller lots for development will undermine both its agricultural integrity and nearby active farms, and will eliminate much of the natural resources that make this area so beautiful. On behalf of our clients at the Santa Ynez Valley Alliance, EDC is urging Santa Barbara County to deny or scale down this project because of the impacts it will have on the amazing landscape, wildlife and local agriculture.

### TOTALLY TGIF!

For 18 years, EDC has been hosting tgif!, the best happy hour series in the tri-counties. On May 13th, we kicked off this season with a packed courtyard for live music, great wine and beer and fantastic hors d'oeuvres. And we introduced our fabulous season underwriters whose support helps make these parties possible – Accountability

Plus, Energy Independence Now, SunRun and Toyota. If May was any indicator, we are on track to having one of the best seasons yet!

There was a lot to talk about, among many things, the opening of Santa Barbara's first hydrogen fueling station and the one-year anniversary of the Refugio Oil Spill. But tgif! is also about connecting with good people and having a great time. If you weren't able to make it, you have three more chances this year!



**EDC IS PROUD TO HAVE REPRESENTED WELL OVER 100 DIFFERENT NONPROFIT ORGANIZATIONS OVER THE YEARS, AND WE ARE EQUALLY HONORED TO CURRENTLY REPRESENT THESE GREAT ORGANIZATIONS:**

California Native Plant Society

California Trout

Camarillo Sustainable Growth

Carpinteria Valley Association

CAUSE

Center for Biological Diversity

Citizens For Responsible  
Oil and Gas

Citizens for the Carpinteria Bluffs

Citizens Planning Association

Environmental Coalition  
of Ventura County

Get Oil Out!

LA Waterkeeper

Los Padres Forest Watch

More Mesa Preservation Coalition

Santa Barbara Channelkeeper

Santa Barbara  
Urban Creeks Council

Santa Ynez Valley Alliance

Sierra Club

Sierra Club  
Los Padres Chapter  
Stand

Surfrider Foundation  
San Luis Obispo

Surfrider Foundation  
Santa Barbara

The Otter Project  
Ventura Audubon



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**MISSION STATEMENT:** The Environmental Defense Center protects and enhances the local environment through education, advocacy, and legal action.

**FOCUS:** Since 1977 we have empowered community-based organizations to advance environmental protection. Our program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. We primarily work within Santa Barbara, Ventura and San Luis Obispo counties.

## GREEN & BLUE, OUR BIG TO DO!

There is still time to join us on Sunday, June 12th to celebrate more than 39 years of work protecting the Green & Blue that surrounds us – our clean water, open space and agriculture and the majestic Santa Barbara Channel which together define California's south central coast. With more than 400 guests joining us in the gardens at the Stow House in Goleta, our annual benefit event, Green & Blue: A Coastal Celebration, will feature local wine from The Ojai Vineyard, beer from Rincon Brewing Co., hors d'oeuvres from Country Catering, live music by Bruce Goldish, unique silent and live auctions, and our 2016 Environmental Hero Award presentation to honor Dr. Charles Lester, former Executive Director of the California Coastal Commission. Don't miss out – reserve your tickets at [EnvironmentalDefenseCenter.org/GB](http://EnvironmentalDefenseCenter.org/GB).

## MATILIJA DAM

The 2014 documentary film, *DamNation*, shined a light on local efforts to bring down the Matilija Dam to aid recovery of the endangered Southern California Steelhead trout, to restore the natural sediment supply to Ventura beaches, and to support public recreation. The Dam was constructed in 1948 for flood control and to provide municipal water for the community of Ojai, but Lake Casitas' completion soon made it unnecessary. EDC is proud to be part of a dedicated alliance of businesses, individuals, and community groups working to bring down the Dam and restore the Ventura River Watershed. This March, the Dam's Design Oversight Group reached consensus on a removal concept. As proven successful with the 2011 Condit Dam removal, blowing two holes in the base of the Dam will ultimately save millions of dollars by letting the river do the work of moving the silt downstream straight out to the ocean to replenish Ventura County beaches. While funding the project and permitting are the next steps, the vision of a free flowing river, thriving steelhead population, and wide sandy beaches could be just a few years ahead.



In a significant step forward, a decision was made this March on a method to bring down Matilija Dam and begin restoring the endangered steelhead population and the Ventura River Valley. Photo by Betsy Weber