



FALL 2021 NEWSLETTER

EXXONMOBIL IS DRIVING IN THE WRONG DIRECTION

The evidence of climate change is unavoidable. Our region faces multiple, serious challenges including an extended wildfire season, prolonged droughts, sea level rise, as well as potential food production challenges, human health needs, species devastation, and many more issues. In the face of this unquestionable reality, ExxonMobil is blindly pushing to restart drilling from three offshore oil platforms—Harmony, Hondo, and Heritage—each of which has been shut down since the devastating Plains All American Pipeline spill blanketed our coast and marine environment with 450,000 gallons of oil back in 2015. Over the last two years, more than one third of the other oil platforms in the Santa Barbara Channel have been moving toward shutdown and decommissioning, but ExxonMobil insists on continuing its dangerous path to exacerbate the climate crisis.

What's worse, in the absence of a rebuilt pipeline, ExxonMobil is pushing to truck oil through the Gaviota Coast and along Highway 101 and then Route 166 for the next seven years. The oil giant plans 68-70 round trip truck transits each day (136-140 trips in total), moving a total of up to 460,000 gallons of oil per day. Using fossil fuels to move fossil fuels isn't even the most ludicrous part of Exxon's dangerous scheme, but it is clear that trucking is the most dangerous way to move oil. EDC's research has demonstrated that over the last 21 years, there have been 79 separate oil tanker crashes in California, including a dozen right here in Santa Barbara County, which left 56 people injured, 28 people dead, and spilled over 100,000 gallons of oil. These crashes include a 2020 crash on Route 166 which spilled 6,000 gallons of oil into the Cuyama River, and a 2017 crash on the 101 which spilled 5,000 gallons and closed the highway during the difficult period immediately following the Thomas Fire and Debris Flows.

ExxonMobil's initial plan was to truck the oil up the 101 to



In September 2016, the driver of an oil tanker died when he collided with a semi tractor trailer traveling on Highway 166, spilling 150-200 gallons of fuel.

Photo: Santa Barbara County Fire Department.

San Luis Obispo County to be processed at the Phillips 66 Santa Maria Refinery, but that facility is now slated to close in 2023, leaving the narrow 166 to Kern County as its option of choice. Route 166 is a windy road with long stretches of "no passing" zones. Spotty cell coverage makes 911 calls on this road uncertain, and the 166 is already known as a dangerous stretch of road with frequent accidents. For this reason, in August 2020, Santa Barbara County staff recommended prohibiting tanker trucks on the 166, as ExxonMobil's proposal would increase the risk of truck accidents and oil spills. However, inexplicably the staff position has changed and in their most recent report they are now recommending approval of this dangerous route.

In September, nearly 100 members of the public spoke up at a public hearing and the Santa Barbara Planning Commission voted to deny ExxonMobil's dangerous proposal. Later this year, the Planning Commission will recommend its findings of denial to the Board of Supervisors for their consideration. We will all need to be ready to act once again. It's far from over, but EDC looks forward to working with the County as we transition to a clean energy future.

EDC IN THE SEA

Protecting the Santa Barbara Channel and our marine environment remains among our highest organizational priorities. The Channel is part of EDC's origin story, as we were founded in response

to the Santa Barbara Oil Spill. The Blowout on Platform A that spread four million gallons of oil across our region devastated wildlife, beaches, and our economy. Because of this, many people are aware of EDC's work on offshore oil issues, including our successful efforts to permanently retire more than 40 offshore oil leases, and the moratorium we put in place on fracking and acidizing off our coast. EDC's marine program also includes many projects unrelated to oil and gas. Among our many wins, EDC was instrumental in the creation of the network of underwater parks called Marine Protected Areas (MPAs), and we successfully forced the U.S. Fish and Wildlife Service to end its maddening "no otter" zone, so now threatened sea otters are allowed to repopulate their native range south of Point Conception. Learn more about EDC's current marine projects here.



PROMOTING RESPONSIBLE OFFSHORE WIND

Since 2016, EDC has been the regional leader working on offshore wind. To this day, we continue to lead the effort to push for safe and environmentally responsible siting and technology associated with offshore renewable energy development. We recognize that the time for wind energy is now, but at the same time we need to protect migrating blue whales, brown pelicans, Pacific leatherback sea turtles, and other marine life. To that end, we are working with state and federal agencies, industry, and NGOs to ensure proper planning and siting of these large industrial developments. The White House and Governor Newsom have agreed to open an area for potential leasing in federal waters offshore Morro Bay. The area encompasses 399 square miles, approximately 20 miles off the coast, and would accommodate 3 GW of energy production. Siting projects many miles from shore is critical to ensure maximum protection for birds, bats, and marine mammals, and can limit conflicts with human uses.

While EDC remains committed to our role in progressing responsible offshore wind, two projects in near shore waters near Vandenberg Space Force Base pose significant environmental threats and are inconsistent with the thorough federal/state planning process we have been working towards. Projects close to shore are more likely to negatively impact endangered whales and sea turtles, migrating birds, and other marine life. In addition, the area where these projects are proposed hosts incredible biodiversity; we believe the negative impacts of offshore wind can and must be avoided by responsible siting that avoids such areas. We have communicated our concerns to the State Lands Commission, the lead permitting agency on projects in state waters.

SUPPORTING THE CHUMASH HERITAGE NATIONAL MARINE SANCTUARY



EDC is working to support the Northern Chumash Tribal Council's efforts to establish the Chumash Heritage National Marine Sanctuary. First nominated in 2015 by the Tribal Council, the Sanctuary effort languished through the Trump years, but the time has come to permanently protect these important waters and the cultural resources they contain. So, as Chair of the Channel Islands National Marine Sanctuary Advisory Council's Conservation Working Group, EDC brought forth for consideration a letter of support for the nomination. The Advisory Council voted to submit this letter of support. Once established, this underwater park would receive special protection for endangered species, sensitive habitats, and submerged sites sacred to the Chumash Peoples, and provide needed resources for research and monitoring. Establishing this marine sanctuary would also eliminate the threat of offshore oil development from Cambria south to Gaviota Creek.

PROTECTING BLUE WHALES FROM SHIP STRIKES

Since 2007, EDC has continued to act as the lead nonprofit organization working to protect endangered blues and other great whale species from the threat of fatal ship strikes. In 2014, we helped launch a Vessel Speed Reduction program in partnership with local air districts, the Channel Islands National Marine Sanctuary (CINMS), and the shipping industry to incentivize ships to slow down through the Channel to and from the Ports of Los Angeles and Long Beach. Slower ship speeds were expected to protect whales from ship strikes and reduce air emissions. Cargo ships are the highest polluter of ozone-forming nitrogen oxide (NOx)

in Santa Barbara County. 2020 was another year of strong results for this program. The initial estimate of emission benefits for the year includes reductions of 748 tons of NOx and 24,258 metric tons of GHGs. That amount of GHGs is equivalent to the emissions from 5,276 passenger vehicles driven for one year. The previous year's GHG reduction was 17,026 metric tons, showing another dramatic decrease in climate change inducing emissions year after year. Participating vessels also reduced the risk of fatal strikes on whales by 35% and significantly decreased ocean noise throughout the program.

CHANNEL ISLANDS NATIONAL MARINE SANCTUARY MANAGEMENT

It is time for the CINMS to update its management plan. Last updated in 2009, this document is meant to guide sanctuary activities, management issues, and actions. EDC is participating in the process and focusing on issues of climate change, resource protection, oil and gas development, MPAs, vessel speed reduction,

invasive species, marine debris, and possible boundary expansion. We are participating in multiple committees, have submitted scoping comments to help shape the updated Plan, and we also helped craft a comment letter from the Sanctuary Advisory Council, on which EDC currently represents the Conservation Community.



AN EXEMPTION FOR OIL & GAS TO POLLUTE OUR DRINKING WATER

Onshore oil projects produce billions of gallons of highly toxic wastewater which is disposed of into underground aquifers, increasing the potential for contamination to our drinking water and risks of increased seeps, spills, earthquakes, and collapsing land. Upon the request from oil companies, the State agency responsible for overseeing oil and gas development proposed an exemption from the Safe Drinking Water Act to allow oil operators to inject hot steam and toxic waste into the Cat Canyon aquifer in Santa Barbara County. The injection of

this polluted concoction would threaten the drinking water of 150,000 community members. On behalf of our clients, Sierra Club Los Padres Chapter and SBCAN, EDC is demanding that the State deny the exemption, thus preventing the opening up of the Cat Canyon Field to more dangerous oil production using methods such as cyclic steam injection and steam flooding. If the State does not deny it, we will continue to fight this proposal before the U.S. Environmental Protection Agency and in court, as necessary.



Gambling with people's drinking water for more dirty oil is unacceptable. Parts of Cat Canyon are already ranked among the top one percent for groundwater threats, and once an aquifer is contaminated, it is difficult—if not impossible—to clean it up.

– Linda Krop



Tara Messing



Amanda Burgess

A FEW GOODBYES & A WARM WELCOME

We are extending a huge thank you to a few team members who recently moved on from EDC: Staff Attorney Tara Messing, and our summer law clerks, Amanda Burgess and Gaby Penvenne. Their contributions to our work were huge, including Tara's leadership with our most recent defeat of three onshore oil projects in Cat Canyon that would have more than tripled onshore production in Santa Barbara County. We also want to welcome Marty Farrell, who recently joined us as a law clerk and will be assisting our attorneys with legal research on endangered species and our work to protect our drinking water from oil and gas development.



Gaby Penvenne



Marty Farrell



THE FUTURE OF OFFSHORE OIL PLATFORMS

The Santa Barbara Channel hosts 20 of Southern California's 27 offshore oil platforms, and finally, more than 50 years after the first offshore platforms were installed along our coast, at least eight are in the process of being decommissioned. Decommissioning includes plugging oil and gas wells, removing the associated platform structure, and restoring the impacted environment. Of course, there is much public debate over this issue and whether platforms should be fully removed, partially removed, or left just as they are in our ocean. EDC advocates for a rigorous environmental and scientific assessment that evaluates the environmental impacts and benefits of each decommissioning scenario, as required by state law. The decisions must be based on best available science. To that end, EDC submitted comments regarding the Bureau of Ocean Energy Management's proposal to prepare a programmatic environmental review regarding platform decommissioning offshore California.

A MIS-NAMED CONSERVATION PLAN FOR OIL & GAS



Numerous threatened and endangered species inhabit Santa Barbara County's Cat Canyon area, including the California red-legged frog, the California tiger salamander, and the Lompoc yerba santa. To drill in this area, oil companies need permits from the U.S. Fish & Wildlife Service since oil and gas development can have devastating impacts on species by grading over habitat, polluting streams and groundwater, and killing them during construction, trucking, and spills. The Service has drafted a mis-named "General Conservation Plan for Oil and Gas Activities" (Plan) which is designed to streamline the "take" permits for projects that would harm or kill these species. On behalf of Sierra Club Los Padres Chapter, SBCAN, and our members, EDC is working to ensure this Plan does not get approved. We have submitted comments on the draft Plan and have requested the Service to withdraw it all together. This dangerous plan has nothing to do with conservation.

THE CLIMATE IS CHANGING— IT'S TIME WE DID THE SAME

In August, the latest report from the Intergovernmental Panel on Climate Change was released, and while there is much to discuss, and more to act upon, there should really have been no surprises for those of us who live in California's South Central Coast Region. We are already seeing increased droughts and an extended and far more dangerous wildfire season, among other impacts. We can only expect these to increase over the foreseeable future. This is not a problem for our children and grandchildren. This is happening now, and it will continue to impact wildlife and the natural world we treasure, just as it will impact every one of us and especially lower income families and communities of color - also known as frontline communities. For all these reasons and more, EDC is committed to continued action to both keep oil and gas in the ground (and carbon emissions out of the atmosphere) and to press for cleaner, safer, and ultimately less expensive renewable power for our energy needs.



Photo: Betsy Weber

NAPLES—DECADES OF WORK AND STILL GOING

EDC has been working for decades on behalf of Surfrider Foundation and our members to protect Naples, the crown jewel of the Gaviota Coast. In 2008, Santa Barbara County approved development for 71 mansions, each up to 10,000 square feet, threatening important coastal habitat and the scenic character of this beloved coastline. The approval included an agreement granting the developer more time to construct the project in exchange for conducting a \$300,000 creek restoration project by April 8, 2021. But now the deadline has past, and no restoration work was conducted. Yet somehow the County found the developer in compliance since \$300,000 had been handed over. EDC filed an appeal and the Board of Supervisors hearing will be held December 14.

We have also been working to ensure full restoration and mitigation for the illegal disking of grasslands, wetlands, and environmentally sensitive habitat at Naples that occurred back in 2020. This summer, we filed an appeal to the Planning Commission after the County Zoning Administrator approved a restoration plan that falls short of necessary mitigations to restore the valuable wetlands, native grasslands, and wildlife habitat.



Photo: Erin Feinblatt



Despite all our wishes, Covid forced us to once again host Green & Blue virtually on May 13th. While we missed gathering with all of you in-person at the Stow House for the second year in a row, the good news was that we are all well-seasoned on virtual events, and with your help, this was another huge success! More than 250 people joined us from the comfort of their homes,

spread all across the U.S. Our chat feed was buzzing with energy and the auction was hopping – bidders couldn't get their bids in quick enough! Thanks to all of you who attended, who donated, and to our generous event sponsors for helping raise critical funds to ensure EDC can continue our work protecting this special stretch of the coast.

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PROTECTING GOLETA'S CREEKS AND SENSITIVE HABITAT

EDC has a long history working to protect and restore streams for the benefit of native habitats, wildlife, clean water, and the public's use and enjoyment. Most recently we worked with the City of Goleta to protect Streamside Protection Areas, including a required minimum 100-foot buffer for new development. Now, a large development, Heritage Ridge, is proposed for 332 rental units, 104 of which would be much-needed affordable housing, next to Los Carneros Creek. The applicant is proposing to reduce the streamside protection by 33 feet, and to destroy critical environmentally sensitive habitat. On behalf of our clients, The Goodland Coalition, Sierra Club Los Padres Chapter, Audubon Society, SB Urban Creeks Council, and Citizens Planning Association, EDC is working to ensure this project provides the required creek buffer and sensitive habitat protection, and can still move forward to provide Goleta with necessary affordable housing.



A PLEDGE TO CLEAN AIR IN CALIFORNIA

In October, EDC participated in California Clean Air Day, an initiative organized by the Coalition for Clean Air that calls on residents and businesses to help improve air quality and protect public health. EDC joined hundreds of organizations in pledging to do our part by establishing a telecommuting policy and encouraging our employees and members to take the pledge to do their part to protect our community's health from air pollution.

We are also excited to announce that our Chief Counsel, Linda Krop, was selected as one of California Clean Air Day's 2021 "Unsung Heroes" for her decades of work defending the environment in Santa Barbara County. As stated by Dan Emmett, who nominated Linda for this award, "She is clearly the most effective environmental steward in Santa Barbara County, if not the entire Central Coast."





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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.

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Year after year, the Environmental Defense Center achieves important victories for our coast, our climate, and our communities. Our planned gift is our way of making sure that we can all count on EDC's expertise and efforts for many years to come."

—Nicole & David Andreasen

If you would like more information about EDC's Legacy Society, please call Owen Bailey at 805-963-1622 or visit www.EnvironmentalDefenseCenter.org/plannedgiving.